

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CWP No.3282 of 2021

Date of decision: 12.02.2021

Rajesh Kumari

.....Petitioner

versus

State of Punjab and Ors.

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Ankit Bishnoi, Advocate for the petitioner.
*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

Petitioner-Rajesh Kumari, stated to be aged 53 years has filed present writ petition *inter alia* with a prayer for issuance of an appropriate writ order or direction especially in the nature of mandamus directing the official respondents No.4 to 6 to release the entire service benefits i.e. family pension, gratuity and death-cum-retiral benefits, arising out of the service of the husband of petitioner i.e. late Sh. Shaminder Kumar along-with interest @ 18% p.a, along with further relief as mentioned in the present writ petition.

Learned counsel for the petitioner based upon pleadings in the petition, submits that petitioner is wife of Late Sh. Shaminder Kumar. In para 4 of the petition, it has been further pleaded that due to some differences which arose between the husband and wife, the petitioner started residing separately. It is also mentioned that the divorce petition filed by the husband was also dismissed and the appeal thereof is still pending. Learned

counsel for the petitioner then submits that the petitioner on 16.09.2019 had moved an application with a request to the respondents authorities to release the service benefits/retiral benefits to her. Petitioner had also submitted a representation to the Deputy Commissioner, Kapurthala on 05.11.2020 (Annexure P-10). It is further submitted that she had also submitted representation to the District Education Officer, Kapurthala on 08.01.2021 (Annexure P-11).

Notice of motion.

On the asking of Court, Mr. D.S. Sukarchakia, DAG, Punjab, who is appearing through video conferencing, accepts notice on behalf of respondents-State.

In view of the peculiar facts and circumstances as noticed above, the present writ petition is disposed of with the direction to respondents No.4 and 6, to consider the representations and decide the same in accordance with law, within a period of *three months*, from the date of receipt of certified copy of this order.

(GIRISH AGNIHOTRI)
JUDGE

12.02.2021
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Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No