

CWP-16630-2021

Date of decision: 27.08.2021

Shashi Bala

.....Petitioner

versus

The State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Gaurav Sharma, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to the respondents to release death gratuity amounting to Rs.10,00,000/- along with interest @ 18% per annum to the petitioner, which has been withheld by the respondents in an illegal and arbitrary manner for the last more than two and half years in spite of the fact that when the office of respondent No.2 has itself certified vide its letter dated 10.06.2019 (Annexure P-3) that the Death Gratuity in lumpsum is

admissible and the net death gratuity payable comes to Rs.10,00,000/- and in compliance with the said letter dated 10.06.2019.

Notice of motion to the official respondents.

Ms. Simran Grewal, AAG, Punjab puts in appearance and accepts notice on behalf of the respondents-State. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the legal notices dated 19.04.2021 and 28.04.2021 (Annexures P-5 & P-6, respectively) as representations moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioner without any delay, as per law.

The petition stands disposed off accordingly.

27.08.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No