

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-5449-2021 (O&M)

Date of decision : 08.03.2021

Kulwinder Kaur

.....Petitioner

Vs.

State of Punjab and Others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Neeraj Sharma, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The prayer in the present petition is for issuance of a writ/direction to the respondents to release the pensionary benefits i.e. Family Pension, Gratuity, Leave encashment etc. w.e.f. the date of death of Ravinder Kumar-deceased (husband of the petitioner).

The learned counsel for the petitioner would contend that the present case is squarely covered by the judgment dated 31.08.2010 delivered by this Court in CWP-2371-2010 titled “**Harbans Lal Vs. The State of Punjab & Ors.**”. He would further contend that a legal notice dated 26.08.2020 (Annexure P-11) in this regard has been sent to the authorities, however, no action has been taken upon the same. Learned counsel for the petitioner further states that, at this stage, he limits his prayer in the present petition and he would be satisfied if a direction is issued to respondent Nos.2 and 3 to take a decision on the legal notice dated 26.08.2020 (Annexure P-11), in view of the judgment dated 31.08.2010 delivered by

this Court in CWP-2371-2010 titled “*Harbans Lal Vs. The State of Punjab & Ors.*” in a time bound manner.

Notice of motion.

On the asking of the Court, Ms. Ambika Bedi, AAG, Punjab has put in appearance through video conferencing and accepts notice on behalf of the respondents.

In view of the limited prayer made by the learned counsel for the petitioner and without commenting on the merits of the case, the present petition is disposed off with a direction to respondent Nos.2 and 3 to take a decision on the legal notice dated 26.08.2020 (Annexure P-11), in accordance with law, keeping in mind the judgment dated 31.08.2010 delivered by this Court in CWP-2371-2010 titled “*Harbans Lal Vs. The State of Punjab & Ors.*” within a period of three months from the date of receipt of certified copy of this order.

Disposed off.

March 08, 2021

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NOTE:

Whether speaking/non-speaking: Speaking

Whether reportable: Yes/No

(ALKA SARIN)
JUDGE