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

CWP-12351-2019

Date of decision: 16.11.2022

LALITA DEVI

...Petitioner

VERSUS

**PUNJAB WATER RESOURCES MANAGEMENT AND DEVELOPMENT
CORPORATION LTD AND ORS.**

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S. S. Walia, Advocate
for the petitioner.

Mr. Manish Joshi, Advocate
for respondent No.1.

JAISHREE THAKUR, J. (Oral)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari for quashing order dated 12.02.2018 (Annexure P-4), whereby the services of the husband of the petitioner were terminated retrospectively considering the fact that he had expired on 28.12.2017. By way of the instant writ petition, the claim is also for payment of retiral benefits which are due and for compassionate appointment.

Pursuant to notice of motion having been issued on 20.08.2019, appearance has been caused on behalf of respondent No.1. Learned counsel for respondent No.1 on instructions would submit that the instant writ petition has been rendered infructuous considering the fact that the impugned order dated 12.02.2018 (Annexure P-4) has already been withdrawn on 14.10.2022. Copy of

order dated 14.10.2022 is taken on record.

At this stage, learned counsel for the petitioner would contend that in case the impugned order stands withdrawn, the petitioner who is the widow of the deceased employee would be entitled to all retiral benefits as well as the widow or family member would be eligible to be considered for compassionate appointment.

Learned counsel for respondent No.1 would submit that respondent No.1 is already in the process of computing the benefits which are due.

I have heard learned counsel for the parties and in view of the fact that the termination order of the deceased employee already stands withdrawn vide order dated 14.10.2022; a statement has been made at the bar by learned counsel for respondent No.1 that the retiral benefits due are in the process of being calculated, I deem it appropriate to direct the respondents to calculate whatever benefits/ family pension etc. are due to the deceased employee, within a period of one month from the date of receipt of certified copy of this order. The benefits as calculated be released within a period of one month thereafter.

Further, a direction is also being issued for considering the claim of compassionate appointment to one of the family members of the deceased employee as per Rules. Let needful be done, within a period of two months thereafter.

Consequently, the instant writ petition is disposed of in aforesaid terms.

16.11.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No