

111 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-12604-2022

Date of Decision: 05.07.2022

Varinder Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. K.G. Chaudhary, Advocate, and
Ms. Sakshi Singh, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that though vide order dated 18.12.2020 (Annexure P-1), the late husband of the petitioner was reinstated in service by the respondent-Department, w.e.f. 30.03.2012, but the benefits up to the date of his retirement have not been extended so far by the respondent-Department and that too without any valid justification.

Learned counsel for the petitioner submits that even the retiral benefits, in respect of the services rendered by the late husband of the petitioner, have been granted to the petitioner by the respondent-Department in the year 2021, i.e. after death of her husband, and that too without grant of any interest on the said delayed release of retiral benefits to the petitioner by the respondent-Department.

Learned counsel for the petitioner further argues that the petitioner is entitled for the grant of salary, in respect of the services rendered by her late husband, from the year 2012 till the date of retirement of his late husband and also for the grant of interest on the said delayed release of retiral benefits to her by the respondent-Department from the date

of retirement of her late husband till the release of actual payment of the same to the petitioner.

Learned counsel for the petitioner submits that the same grievance has also been raised by the petitioner before the respondents by serving legal notice dated 02.04.2022 (Annexure P-2), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.2 to decide the legal notice dated 02.04.2022, by passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Vikas Mohan Gupta, Additional A.G., Punjab, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 02.04.2022 (Annexure P-2) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 02.04.2022 (Annexure P-2), this petition is disposed of with a direction to the respondent No.2 to pass an appropriate speaking order on the legal notice dated 02.04.2022 (Annexure P-2), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order.

05.07.2022*Apurva***(HARSIMRAN SINGH SETHI)****JUDGE**

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|--------------------------------|--------|
| 1. Whether speaking/reasoned : | Yes/No |
| 2. Whether reportable : | Yes/No |