

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

126

CWP-14195-2022

Date of decision : 07.07.2022

GOMTI

..... Petitioner

VERSUS

MUNICIPAL CORPORATION CHANDIGARH AND ORS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Dinesh Kumar, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner argues that the husband of the petitioner retired as a Beldar from the respondent Municipal Corporation, Chandigarh on 31.01.2021 and thereafter unfortunately died on 11.04.2022 by which date, the respondents did not release the pensionary benefits to the late husband of the petitioner in respect of the service rendered and now after the death of the husband, same are not being released in favour of the petitioner along with family pension and that too without any valid justification.

Learned counsel submits even the pension to be started from 01.02.2021 upto 11.04.2022 was not paid to the husband of the petitioner, which also needs to be released by the respondents. Learned counsel further submits that as there is no impediment in the release of the pensionary benefits in respect of the service rendered by her late husband, the respondents are liable to be directed to release the same without any further

delay along with interest.

Learned counsel for the petitioner further submits that for the relief as claimed in the present petition, the petitioner has already served upon the respondents a legal notice dated 17.05.2022 (Annexure P-6) which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to respondents to decide the said representation in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner on 17.05.2022 (Annexure P-6), respondent No. 1 is directed to decide the legal notice dated 17.05.2022 (Annexure P-6) by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

07.07.2022

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Whether speaking/reasoned	Yes
Whether Reportable :	No