

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109)

CWP No. 17681 of 2021

Date of Decision : 10.05.2022

Sunita Devi

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Diwan S. Adlakha, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that as per the Instructions issued by the Government of Haryana, the monthly assistance is to continue till the deceased employee was to attain the age of superannuation and in the present case, the monthly assistance given to the petitioner has been stopped by presuming that the late husband of the petitioner would have retired at the age of 58 years whereas, he being a handicapped person, would have continued in the service till the age of 60 years and, therefore, petitioner was entitled for the monthly assistance till the late husband of the petitioner would have completed 60 years of service and, therefore, respondents are liable to be directed to grant the petitioner the benefit of monthly assistance up to the date when the late husband of the petitioner would have attained the age of 60 years.

Learned counsel for the petitioner submits that the petitioner

has already raised the said grievance in the legal notice dated 12.02.2018 (Annexure P-7) as well as reminder dated 22.05.2019 (Annexure P-8), which are still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 2 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Raman Kumar Sharma, learned Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and raises no objection in deciding the legal notice dated 12.02.2018 (Annexure P-7) as well as reminder dated 22.05.2019 (Annexure P-8) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice as well as in reminder, respondent No. 2 is directed to decide the legal notice dated 12.02.2018 (Annexure P-7) as well as reminder dated 22.05.2019 (Annexure P-8), 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.

May 10, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No