

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(122)

CWP No.23146 of 2022

Date of Decision : 10.10.2022

Soma Devi

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ankit Joshi , Advocate and
Mr. Binat Sharma, Advocate
for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that unfortunately son of the petitioner, namely, Parveen Kumar, who was working as Panchayat Secretary in the department of Panchayat, died on 29.10.2018 but no benefits of the service, which the late son of the petitioner has rendered from 1992 onwards till 2018 have been given to the petitioner as the petitioner is the sole claimant being the dependent mother.

Learned counsel for the petitioner further argues that the son of the petitioner, namely, Parveen Kumar was married but had divorced his wife, namely, Priya, who performed second marriage prior to the death of the son of the petitioner. Hence, the petitioner being the sole claimant is entitled for the service benefits in respect of service rendered by her late son.

Learned counsel for the petitioner argues that the respondents be directed to release the service benefits in favour of the petitioner forthwith alongwith interest.

Learned counsel further submits that the grievance, which is being raised by the petitioner in the present petition has already been raised in the legal notice dated 28.09.2020, copy of which has been appended as Annexure P-3 and the petitioner will be satisfied in case a time bound direction be given to the respondents to decide the same by passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 28.09.2020 (Annexure P-3) 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, respondent No. 2 is directed to decide the legal notice dated 28.09.2020 (Annexure P-3), by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same should also be paid to the petitioner within a period of four weeks thereafter.

Present writ petition stands disposed of.

October 10, 2022
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*