

126.

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

CWP-27457-2022

Date of Decision: 01.12.2022

POONAM RANI

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jastaran Chhatwal, Advocate, for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Article 226 of the Constitution of India for issuance of an appropriate writ, order or direction especially a writ in the nature of mandamus directing the respondents to count the service rendered by the husband of the petitioner, namely, Kavar Pal Singh as SPO as qualifying service for the purpose of pensionary benefits, as the same benefit has been granted by this Court to similarly situated person vide order dated 11.05.2016 passed in CWP No.11802 of 2008 titled as *Paramjit Kaur Versus State of Punjab and others* (Annexure P-2) and also would rely upon judgment dated 07.01.2016 passed in CWP No.24472 of 2015 (Annexure P-1).

Counsel appearing on behalf of the petitioner would submit that in this regard, the petitioner has already served a legal notice dated 09.10.2022 (Annexure P-4) upon the respondents, but till date, no decision has been taken thereon. He would submit that at this stage, the petitioner

would be satisfied in case the said legal notice is decided in a time bound manner, in accordance with law.

Notice of motion.

On the asking of the Court, Ms. Deepali Puri, Additional Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents.

Let sufficient number of copies of complete paper book be supplied to her during the course of day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel appearing on behalf of the petitioner, the present petition is disposed of with a direction to the respondents to decide legal notice dated 09.10.2022 (Annexure P-4) of the petitioner within a period of three months from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

01.12.2022

sanjeev

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No