

233
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-1149-2021 (O&M)
Date of Decision: 23.03.2023

Sujata Kumari and another

....Petitioner(s)

Versus

CITCO and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Surender Lamba, Advocate, for the petitioners.

Ms. Madhu Dayal, Advocate, for respondents No.1 and 2.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *Mandamus* directing the respondents to release the full service benefits of deceased Ravinder Kumar to the petitioners alongwith interest @ 18% per annum.

Learned counsel for the petitioners has submitted that the husband of petitioner No.1 and father of petitioner No.2 was employed as a Waiter in CITCO who is the respondent in the present case. The aforesaid husband of petitioner No.1 had died on 30.08.2020 leaving behind the petitioners as his legal heirs. He submitted that after the death of the aforesaid husband of petitioner No.1, the petitioners were entitled for pension and pensionary benefits/retiral benefits but the same have been denied to the petitioners. He submitted that respondent No.3 is mother of the deceased and whoever is entitled under the law should be granted the benefits after the death

of husband of petitioner No.1. He submitted that there was one FIR lodged against petitioner No.1 but a cancellation report in that FIR has been placed before the learned Magistrate and which has since been accepted and therefore as of date, there is no impediment for disbursal of the service/pensionary benefits to which the petitioners or any person are entitled under the law. He submitted that necessary directions may be issued to consider the prayer of the petitioners so that an order can be passed in this regard.

Ms. Madhu Dayal, Advocate appearing on behalf of respondent Nos. 1 and 2 submitted that she has no objection in case now in view of the circumstances which have been mentioned by the learned counsel for the petitioners that the cancellation report has been accepted that the necessary order be passed within time bound frame work and strictly in accordance with law.

In view of the aforesaid position and the stand taken by the learned counsel for the respondents No.1 and 2, respondent No.1/ competent authority is directed to consider the issue with regard to the grant of service benefits of the deceased Ravinder Kumar who is stated to be husband of petitioner No.1, father of petitioner No.2 and son of respondent No.3 and to pass a well-reasoned speaking order in accordance with law after hearing both the petitioners and respondent No.3 or their counsels within a period of three months from today.

The present petition is disposed of in view of the aforesaid directions.

23.03.2023

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)
JUDGE

: Yes/No
: Yes/No