

129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15005-2023

Date of decision: 17.07.2023

Sarabjit Kaur

.....Petitioner

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Gursharan Singh, Advocate and
Mr. Anmol Jeevan Singh Gill, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to release the outstanding balance of GPF, gratuity, leave encashment and other retiral benefits of the husband of the petitioner with interest.

Learned counsel for the petitioner contends that husband of the petitioner, namely, Sh. Nirpal Singh(deceased) joined the Municipal Council, Payal, District Ludhiana in the year 1992 at the post of clerk. He submits that petitioner's husband was working at the post of Junior Assistant when he expired on 23.09.2019. Learned counsel submits that in the year 2006, Punjab Government passed APC Scheme under which Government decided to provide interim relief, increased medical allowances and scale of 04.09.2014 years for special promotions to its employees and in this regard a meeting was held on 06.11.2006 hosted by Executive Officer, Municipal Council, Payal and a resolution was passed to provide all the benefits to the employees of Municipal Council, Payal. He further submits that the retiral benefits and balance of GPF has not been paid to the petitioner after the death of her husband while still in

service. Learned counsel for the petitioner further subits that petitioner has submitted a legal notice dated 18.04.2023 (Annexure P-8) to the respondent No.4, which has not been taken into consideration till date and he would be satisfied if necessary directions are given for deciding the legal notice dated 18.04.2023 (Annexure P-8) in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG Punjab and Mr. Sanjeev Soni, Advocate, who are present in the Court, accepts notice on behalf of the respondents and do not object to the prayer made by learned counsel for the petitioner.

In view of the above and with the consent of both the parties present petition is disposed of with a direction to the respondent No.4 to decide the legal notice dated 18.04.2023 (Annexure P-8) submitted by the petitioner within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to claim mentioned in his legal notice, necessary disbursement of funds shall be made to him within a period of 8 weeks thereafter.

17.07.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No