

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

212

CWP-23580-2014

Date of decision: 04.12.2023

DALBIR KAUR**...Petitioner****VERSUS****STATE OF PUNJAB AND ORS.****...Respondents****CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Komalpreet Singh, Advocate for
Mr. Gagandeep Singh Manku, Advocate
for the petitioner.

Mr. Arun Gupta, AAG, Punjab with
Mr. Uma Shankar Gupta, Director, Local Government, Punjab,
Chandigarh-respondent No.2.

Mr. Nitin Kaushal, Advocate along with
Mr. Arun Kumar, Executive Officer, M.C., Dhariwal
for respondent No.4.

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 family pension along with arrears thereof on the basis of revised pay scale and other amount due to the petitioner along with interest @ 12% per annum for delayed payment, on account of death of her husband during service, who was working as Clerk with respondent No.4, the same having been withheld wrongly and illegally by the respondents despite legal notice dated 15.07.2014 and 16.08.2014 (Annexures P-2 & P-3).

Mr. Uma Shankar Gupta, Director, Local Government, Punjab, Chandigarh (respondent No.2) and Mr. Arun Kumar, Executive Officer, M.C., Dhariwal (respondent No.4) are present in the Court today.

In compliance of order dated 23.11.2023, additional reply dated 04.12.2023 by way of affidavit of Uma Shankar Gupta, Director, Local Government, Punjab, Chandigarh has been filed on behalf of the respondent No.2 in the Court today and the same is taken on record. Copy thereof has been supplied to the counsel for the petitioner.

Learned State counsel has explained the reasons why delay has been caused, the same is accepted and undertakes on instructions that arrears for the retiral benefits and admitted amount shall be released to the petitioner within a period of 04 weeks from the date of receipt of certified copy of this order.

Learned counsel for the petitioner submits that so far as the interest part is concerned, the petitioner will approach the respondents/department by moving a fresh representation claiming interest on the arrear for the retiral benefits and the same shall be decided expeditiously in accordance with law.

In view of the submissions made by learned State counsel, learned counsel for respondent No.4 as well as learned counsel for the petitioner, nothing remains to be adjudicated in the present petition.

The present petition is disposed of accordingly.

December 04, 2023

nisha-II

*Whether reasoned/speaking?
Whether reportable?*

**(DEEPAK MANCHANDA)
JUDGE**

*Yes/No
Yes/No*