

CWP- 18106-2023 (O&M)

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

CWP- 18106-2023 (O&M)

Date of Decision:21.08.2023

Randhir Kaur

... Petitioner

V/s.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Ms. Riti Aggarwal, Advocate
 for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioner for directing the respondents to release the amount of Death cum Retirement Gratuity, amount of leave encashment, General Provident Fund, arrear of fix medical allowances, arrear of revised pay and pension along with family pension and other benefits to the petitioner under Article 300-A of the Constitution of India and under Rule 6.17 of the Punjab Civil Services Rules Vol. II with all consequential benefits and interest @ 18% P.A. on the delayed payment of family pension and other admissible benefits to the family pensioner.

Learned counsel for the petitioner submits that the husband of the petitioner was appointed as Fitter at Municipal Council, Rampura Phul, District Bathinda, but while discharging his duties, he expired on 15.08.2021. The petitioner being the legally wedded wife and the legal heir of the deceased, is entitled for family pension, Ex-gratia, GPF, Leave Encashment and Death cum Retirement gratuity, Fix Medical allowance and arrear of revised benefits in terms of 6th revised pay scales. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the representation dated 14.09.2021 (Annexures P-2), which is still pending consideration with respondent. She admits that the said representation is without complete details of other legal heirs of the deceased husband and undertakes to submit the detailed representation to respondent No. 4 and 5 and that the petitioner will be satisfied at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

At this stage, on the asking of the Court, Mr. Arun Gupta, AAG, Punjab accepts notice on behalf of respondent Nos. 1 to 4 and Mr. Sanjeev Soni, Advocate has put in appearance on behalf of respondent No. 5 and raises no objection in deciding the fresh representation (if submitted within two weeks) in a time bound manner by passing an appropriate speaking order.

I have heard learned counsel for the parties and have gone through the record of the case.

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 her fresh representation if filed within two weeks from the date of receipt of certified copy of this order, the respondents are directed to decide the same by passing a speaking order within a period of eight weeks thereafter with a further direction that if the petitioner is found to be entitled to the claim mentioned in the representation and if there is no legal impediment, necessary disbursement of funds shall be made to him within further period of eight weeks.

Petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

21.08.2023

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Whether speaking/reasoned	Yes
Whether Reportable	Yes /No