

CWP No. 24340 of 2022

2023:PHHC:103993

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(245)

CWP No. 24340 of 2022

Date of Decision : 10.08.2023

Birmati

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pardeep Solath, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, Deputy Advocate General,
Haryana.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner submits that the benefits in respect of the service rendered by the late son of the petitioner, namely, Anil Kumar, were not being paid to her on the ground that while in service, Anil Kumar had taken a loan of Rs. 2,95,000/- from the State Bank of India and out of the said amount, a sum of Rs. 2,56,853/- is due and the State Bank of India is yet to give No Objection Certificate for the release of the benefits.

2. Learned counsel for the petitioner submits that the loan taken by Anil Kumar has already been repaid and No Due Certificate has already been given to the department, hence, as of now, there exists no

impediment in release of the benefits in respect of the service rendered by late Anil Kumar.

3. Learned counsel for the respondents submits that keeping in view the said development that No Due Certificate has been given by the State Bank of India qua the loan taken by Anil Kumar, department has already taken an appropriate action and direction has already been given to Accountant General, Haryana to release the benefits in favour of the petitioner.

4. Learned counsel for the petitioner submits that the Accountant General, Haryana be directed to release the benefits for which the petitioner is entitled for in a time bound manner so that the petitioner does not suffer any further prejudice.

5. Keeping in view the facts and circumstances of this case, where there is no dispute qua the entitlement of the petitioner for the amount, which has already been sanctioned by the department itself and a recommendation has been made to the Accountant General, Haryana for the release of the same, the Accountant General, Haryana is directed that the proposal sent by the department for the release of the benefits to the petitioner in respect of the service rendered by her late son Anil Kumar, be considered and the benefits be released to the petitioner within a period of four weeks from the receipt of certified copy of this order.

6. At this stage, learned counsel for the petitioner submits that the petitioner is also entitled for the family pension after the death of her son.

7. Learned State counsel submits that in case, any such claim is raised before the department by the petitioner, the same will also be considered in accordance with law and an appropriate order will be passed within a period of eight weeks of the receipt of any such representation from the petitioner.

8. Disposed of.

August 10, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No