

2023:PHHC:135238

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-23612-2023 (O&M)
Date of Decision:-17.10.2023

Balvir KaurPetitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jastaran Chhatwal, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed by the petitioner seeking issuance of a writ in the nature of mandamus directing the respondents to consider the services rendered by husband of the petitioner as 'SPO' as qualifying service for the purpose of pensionary/retiral benefits.
2. Learned counsel for the petitioner submitted that husband of the petitioner had initially been appointed as 'SPO' in the year 1993 and was later on absorbed in regular cadre of Constables on 29.5.2001, but unfortunately died in harness in the year 2016. It has been submitted that although the petitioner has been representing to the respondents for grant of retiral-cum-death benefits, but to no avail. It has also been submitted that the petitioner was ultimately constrained to issue a legal notice dated 11.9.2023 (Annexure P-4), but the same is still undecided.

3. Having heard the learned counsel for the petitioner but without commenting anything as regards merits of the case, the instant petition is disposed of with a direction to respondent No.4 – The Command Head Police Department Laddakothi, Sangrur, District Sangrur to examine the legal notice dated 11.9.2023 (Annexure P-4), so that the same is disposed of in accordance with law expeditiously preferably within a period of 2 months from today.
4. In case, it is found that anything is due to be paid to the petitioner on account of death/retiral benefits in respect of her husband, the same shall be paid within a period of 2 months thereafter alongwith interest @5% per annum. In case, the dues are not paid within the aforesaid prescribed period, the respondents shall be bound to pay the entire arrears alongwith interest @10% per annum.

17.10.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No