

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-27443-2023 (O/M)
Date of decision : 07.12.2023

Ranjit Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Deepanshu Mehta, Advocate
for the petitioner.

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HARSH BUNGER, J. (ORAL)

1. The instant writ petition has been filed by petitioner (Ranjit Kaur) under Articles 226/227 of the Constitution of India, for issuance of a writ in the nature of mandamus, directing respondents No. 2 to 6 to release the amount of insurance compensation funeral assistance compensation and pension (including arrears of pension), for which she is entitled, in terms of provisions of Section 22 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Act, 1996 (for short 'the Act, 1996'), whereby the Government of Punjab, has formulated ex-gratia scheme, wherein, in the event of death of the beneficiary, an amount of Rs. 3 lacs is released to the dependents of the beneficiary and an amount of Rs. 20,000/- is also paid to the dependents of the beneficiary qua funeral assistance as per the Funeral Assistance Scheme formulated in compliance of Section 22 of the Act, 1996 and in the light of the Welfare Scheme implemented thereunder.

2. At the outset, learned counsel for the petitioner submits that as regards the relief claimed in the present writ petition, the petitioner has also served a legal notice dated 10.11.2023 (Annexure P-4) upon the respondents; however, the same has not been decided till date. It is submitted that the petitioner would be satisfied at this stage, if a direction is issued to the respondents to consider/decide the aforesaid legal notice dated 10.11.2023 (Annexure P-4), in a time bound manner.

3. At this state, learned State counsel-Mr. Vipin Pal Yadav, Additional Advocate General, Punjab appears and submits that in case, the aforesaid legal notice dated 10.11.2023 (Annexure P-4) has been served and received in the concerned Office, then the same shall be looked into/decided in accordance with law by the concerned authority and an appropriate speaking order will be passed.

4. I have heard learned counsel for the parties and perused the paper book with their able assistance.

5. Since the petitioner claims to have served a legal notice dated 10.11.2023 (Annexure P-4) upon the concerned authorities, especially respondent No. 3 in the present petition; accordingly, without commenting anything on the merits of the case, I deem it appropriate to dispose of the instant writ petition by directing respondent No. 3 i.e. Labour Commissioner-cum-Member Secretary, Punjab Building and Other Construction Workers Welfare Board, Punjab, to look into, consider and decide the aforesaid legal notice dated 10.11.2023 (Annexure P-4) by passing a speaking order within a period of six weeks from today. It goes without saying that in case petitioner is entitled to any relief, the same may be granted to her in accordance with law.

6. Disposed of in the afore-said terms.
7. All pending application/s, if any, shall stand closed.

(HARSH BUNGER)

JUDGE

07.12.2023

sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No