

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

CWP-1864 of 2024

Date of decision: 30.01.2024

Veena Rani

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Fateh S Dhillon, Advocate, for the petitioner.
Ms. Anju Sharma Kaushik, DAG, Punjab.
Mr. J.S. Toor, Advocate, for respondent No.4.

NAMIT KUMAR, J.

1. Present petition has been filed under Article 226 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondents to release the service benefits/retiral benefits including family pension, gratuity, provident fund, leave encashment and other admissible benefits under the revised pay scales along with interest @ 18% per annum on account of delayed release with regard to services rendered by late Sh. Vijay Kumar working as Class IV Safai Sewak i.e. deceased husband of the petitioner, who died in harness.

2. Learned counsel for the petitioner at the outset confines his prayer for deciding legal notice dated 08.07.2023 (Annexure P-3). He submits that at this stage, petitioner would be satisfied, if the said legal notice is decided by passing a speaking order within a time-bound frame.

3. Notice of motion.

4. On the asking of the Court, Ms. Anju Sharma, DAG, Punjab, who is present in Court accepts notice on behalf of the respondents No.1 to 3 and Mr. J.S. Toor, Advocate, accepts notice on behalf of respondent No.4.

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

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.4-Competent Authority is directed to consider and decide the claim made in the legal notice dated 08.07.2023 (Annexure P-3) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, her claim be released within a period of six weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioner merits rejection the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioner within the time as stipulated hereinabove.

7. The petition stands disposed of.

30.01.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No