

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

CWP-4281 of 2024

Date of decision: 26.02.2024

Shamila Rani

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. V.K. Shukla, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. Instant writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to release the balance payment of death-cum-retirement gratuity of the husband of the petitioner on account of enhancement of the limit of gratuity as per Punjab Government notification dated 29.10.2021 (Annexure P-2) and balance payment of missing credits of his G.P. Fund along with interest thereon including on the delayed payments of his retiral benefits @ 12% p.a.

2. Learned counsel for the petitioner at the outset confines his prayer for deciding demand notice dated 15.01.2024 (Annexure P-3). He submits that at this stage, petitioner would be satisfied, if the said demand notice is decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, who is present in Court accepts notice on behalf of the respondents.
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.3-Competent Authority is directed to consider and decide the claim made by the petitioner in the demand notice dated 15.01.2024 (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, necessary benefits be released within a period of three weeks thereafter.
7. The petition stands disposed of.

26.02.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No