

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.9359 of 2024 (O&M)
Date of decision: 25.04.2024

Kavita

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Fateh Singh Dhillon, Advocate for the petitioner.

NAMIT KUMAR J. (Oral)

1. The instant petition has been filed by the petitioner, who is a widow of Sh. Vikas, who was working as Sewerman in Municipal Corporation, Amritsar and died on 17.02.2023. Further a writ of mandamus has been sought for directing the respondents to release the pending ex gratia amount in terms of Policy dated 16.12.2011 (Annexure P-3), which provides that in the case of accidental or homicidal death of an employee while performing duty, his legal representatives will be entitled to a sum of Rs.5.00 lacs as ex gratia amount.

2. Learned counsel for the petitioner submits that although the petitioner has been released a sum of Rs.2.00 lacs on account of ex gratia, however, she is entitled for the remaining amount of Rs.3.00 lacs as well.

3. On receipt of advance notice of the writ petition, Mr. Rajesh Sehgal, Addl. A.G., Punjab, has appeared on behalf of respondents No.1 and 2 while Mr. Sanjeev Soni, Advocate has appeared on behalf of respondents No.3 and 4.

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4. Learned counsel for respondents No.3 and 4, submits that the case of the petitioner for grant of remaining amount can only be considered if the petitioner provides necessary documents, to show that death of the husband of the petitioner has occurred while performing the official duty.
5. Another claim raised in the present writ petition is that the petitioner is also entitled for insurance amount in terms of group insurance from respondent No.5 and respondents No.3 and 4, shall pursue her case with respondent No.5 – National Insurance Company Limited, for release of the said amount at the earliest.
6. Learned counsel for the petitioner submits that he shall submit a justice demand notice upon the respondents within a period of 02 weeks from today, by attaching all the necessary documents and the same may be considered by respondents No.3 to 5 in a time bound manner.
7. In case any justice demand notice is served by the petitioner by attaching all the necessary documents, within a period of 02 weeks from today, the same shall be considered and disposed of by respondent No.3, within a period of 03 months thereafter and necessary benefits shall be released to the petitioner forthwith.
8. Disposed of in the above-said terms.

(NAMIT KUMAR)
JUDGE

25.04.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No