



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

251

CWP-16830-2024

Date of decision : 30.09.2024

Mahinder Kaur

....Petitioner

V/S

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. P.K. Goklaney, Advocate
for the petitioner.

Ms. Saguna Arora, A.A.G. Punjab
for respondents No.1 & 2.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India, seeking a writ of mandamus, directing the respondents to grant family pension and other retiral benefits i.e. gratuity, provident fund and leave encashment etc. as admissible to the post of husband of the petitioner, for the entire service rendered by him with the department, excluding the amount already paid to the petitioner, along with interest @ 12% per annum, from the date it became due till its realization.

2. Pursuant to notice of motion issued on 22.07.2024, Mr. Sarthak Gupta, Advocate has put in appearance on behalf of respondents No.3 & 5 and Ms. Pushpanjali Bisht, Advocate for Mr. T.S. Sidhu, Advocate, has put in appearance on behalf of respondent No.4 and filed her power of attorney in the Court which is taken on record.

They seek time to file their replies.

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3. Learned counsel for the petitioner submits that for redressal of her grievances, the petitioner has served legal notice dated 18.03.2024 (Annexure P-12) to the respondents which is still pending for consideration. He submits that at this stage, the petitioner would be satisfied, if appropriate directions are issued to respondent No.4 to consider and decide the said legal notice, by passing a speaking order, in a time bound manner.

4. Learned counsel for the respondents have no objection to the innocuous prayer made by learned counsel for the petitioner.

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

6. Without going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.4 to decide legal notice dated 18.03.2024 (Annexure P-12), submitted by the petitioner expeditiously, by passing a speaking order, preferably within a period of 03 months from the date of receipt of certified copy of this order.

30.09.2024*kothiyal***(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No