

CWP-18021 of 2024

2024:PHHC:100352



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

CWP-18021 of 2024

Date of decision: 01.08.2024

Surinder Kaur

.....Petitioner

Versus

Punjab State Civil Supplies Corporation Limited

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Padamkant Dwivedi, Advocate,
for the petitioner.

Mr. T.S. Sidhu, Advocate,
for the respondent.

NAMIT KUMAR, J. (ORAL)

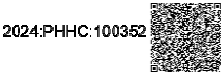
1. Petitioner, who is a widow of Sh. Sewa Singh, who was working as Public Distribution Clerk with the respondent-PUNSUP, has approached this Court by way of filing the instant petition impugning the order dated 09.04.2019 (Annexure P-5) passed by the Managing Director, Punjab State Civil Supplies Corporation Limited, thereby rejecting the claim of the petitioner to count the suspension period of her deceased husband from 04.01.2009 to 24.11.2009 as duty period for all intents and purposes in view of his acquittal in the criminal case and to grant consequential benefits including arrears of salary with interest @ 9% per annum and further to grant balance interest on the death-cum-retiral benefits w.e.f. 12.12.2013 (date of death of Sewa Singh) to 09.01.2019 (date of payment) as only three years' interest has been paid and that too only on gratuity amount.



2. Learned counsel for the petitioner submits that the petitioner has already submitted various representations, including representation dated 29.02.2024 (Annexure P-6), claiming the above said relief followed by legal notice dated 06.03.2024 (Annexure P-7) and he would be satisfied if appropriate directions are issued to the respondent – Managing Director to consider and decide the said claim in a time-bound manner.

3. Mr. T.S. Sidhu, Advocate, who has put in appearance on receipt of advance copy, has opposed the claim of the petitioner by stating that there is a considerable delay in filing the present writ petition as the petitioner is impugning the order dated 02.04.2019/09.04.2019 (Annexure P-5) by filing the present writ petition in the year 2024.

4. To counter the said contention of the learned counsel for the respondent, learned counsel for the petitioner has produced a copy of the order dated 11.01.2022 issued by this Court on the administrative side, regarding “cognizance for extension of limitation” based upon the order passed by the Hon’ble Supreme Court in Miscellaneous Application No.21 of 2022 in Miscellaneous Application No.665 of 2021 in *Suo motu* Writ Petition (Civil) No.3 of 2020, to contend that the period from 15.03.2020 till 28.02.2022 has been excluded for the purpose of limitation in the situation arisen due to Covid-19. He further submits that the petitioner is a widow lady and had no financial means, therefore, some delay has occurred in approaching this Court.



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- Managing Director, PUNSUP, is directed to consider and decide the claim made by the petitioner in legal notice dated 06.03.2024 (Annexure P-7) 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.
7.

The petition stands disposed of.

01.08.2024
R.S.

(NAMIT KUMAR)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No