

CWP-26141 of 2024

2024:PII C 133486



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

CWP-26141 of 2024

Date of decision: 14.10.2024

Krishna Devi

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Peeush Gagneja, Advocate,
for the petitioner.

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

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondents to release the remaining amount of service-cum-death dues of the deceased husband of the petitioner, such as provident fund, gratuity, leave encashment, medical allowance, revised pay scale, arrears of revised pay scale benefits of 01.01.2016 and all other benefits along with interest for the delayed period.

2. Learned counsel for the petitioner submits that husband of the petitioner was working as Safai Sewak in M.C. Rampura Phool and unfortunately, he died on 02.05.2022 while in service. However, retiral dues of the husband of the petitioner have not been released, except a sum of Rs.2,00,000/-. He submits that the petitioner has submitted various representations followed by legal notice dated 20.08.2024 (Annexure P-5), however, neither the retiral dues have been released



nor the same has been replied. He further submits that the petitioner would be satisfied, if the said legal notice is considered and decided by respondents No.3 and 4 by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of the respondents and has 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 expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondents No.3 and 4 are directed to consider and decide the claim made by the petitioner in legal notice dated 20.08.2024 (Annexure P-5) 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 one month thereafter.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

14.10.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No