

CWP No.15760 of 2015

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

CWP No.15760 of 2015

Date of Decision: August 03, 2015

Mohan Singh

...Petitioner

Versus

Union of India & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Rajeev Anand, Advocate
for the petitioner.

AUGUSTINE GEORGE MASI, J. (Oral):

It is the contention of the counsel for the petitioner that petitioner who is a freedom fighter, was granted the benefit of Freedom Fighter Pension and was issued PPO No.8338/FF/Punjab dated 27.09.1999. Because of registration of a CBI enquiry against some of the officials of the Department of Home Affairs, Government of India, the release of the pension of the petitioner was stopped. However, in April 2014, he came to know that the case of the petitioner with regard to release of Freedom Fighter Pension has been found to be in order but despite that the pension was not restored. Petitioner submitted a representation dated 19.08.2014 (Annexure P-9) to the Secretary, Department of General Administration, (Freedom Fighters Political-III Branch), Government of Punjab-respondent No.3 and to the Under Secretary to Government of India, Ministry of Home Affairs, New Delhi, under

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whom, the Director, Freedom Fighter Division, Ministry of Home Affairs, Government of India, New Delhi-respondent No.2, comes, but the pension of the petitioner was not restored. Petitioner had, thereafter, served a notice through counsel dated 17.04.2015 (Annexure P-10) upon the two earlier mentioned officials/respondents but no response thereto has been received till date nor has the pension been restored to the petitioner.

Counsel for the petitioner states that the petitioner, at this stage, would be satisfied if a direction is issued to the Director, Freedom Fighter Division, Ministry of Home Affairs, Government of India, New Delhi-respondent No.2 and the Secretary, Department of General Administration, (Freedom Fighters Political-III Branch), Government of Punjab-respondent No.3 to consider and decide the legal notice dated 17.04.2015 (Annexure P-10), within some specified time.

In the light of the statement made by the counsel for the petitioner, the present writ petition is disposed of, without going into the merits of the case or commenting thereon, with directions to the Director, Freedom Fighter Division, Ministry of Home Affairs, Government of India, New Delhi-respondent No.2 and the Secretary, Department of General Administration, (Freedom Fighters Political-III Branch), Government of Punjab-respondent No.3 to consider and decide the legal notice dated 17.04.2015 (Annexure P-10) within a period of three months from the date of receipt of certified copy of

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this order.

In case, the claim of the petitioner is accepted, the consequential benefits be released to him, in accordance with law, within a further period of one month. The decision so taken be conveyed to the petitioner forthwith.

August 03, 2015
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE