

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

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**Civil Writ Petition No.28642 of 2013
Date of decision: 03.07.2015**

Maya Devi

...Petitioner

versus

Dakshin Haryana Bijli Vitran Nigam and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. S.S. Khurana, Advocate
for the petitioner.

Mr. P.S. Poonia, Advocate
for the respondents.

DAYA CHAUDHARY, J.

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release family pension along with interest to the petitioner as well as her children as per their share on account of death of Kabli @ Rati Ram on 31.10.2002, who was serving as ALM with the respondent-department.

Learned counsel for the petitioner submits that inspite of submission of succession certificate, the family pension has not been released whereas some benefits have been released.

Learned counsel for the respondents submits that the deceased, namely, Kabli @ Rati Ram has many legal heirs.

In view of submission made by learned counsel for the parties, the present petition is disposed of with a direction to the respondents to release family pension to all legal heirs of Kabli @ Rati Ram(deceased) as per their share determined vide order dated 30.01.2006 by the then Additional Civil Judge(Sr. Div.), Hansi (Annexure P-1). The necessary exercise be done within a period of one month from the date of receipt of copy of this order.

Learned counsel for the petitioner also submits that the petitioner is also entitled for interest on the delayed payment of retiral benefits.

The petitioner is at liberty to move representation for grant of interest before the concerned authority and in case, the petitioner is found entitled for the interest, the respondents are directed to grant interest @8% per annum from the date of issuance of succession certificate till the payment has been made.

(DAYA CHAUDHARY)
JUDGE

July 03, 2015
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