

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.1120 of 2016

Date of decision: 21.1.2016

Santosh Soni

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Pawan Kumar Goklaney, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks release of family pension to the tune of 50% of the pay as the petitioner is eligible and entitled for the same in view of the instructions dated 23.12.2011(Annexure P/2).

Counsel for the petitioner submits that legal notice dated 26.11.2015 (Annexure P/5) in this regard has already been served upon the respondents which is still pending consideration and he would be satisfied if a direction is issued to respondent no.2 to decide the said legal notice within some fixed time frame.

Notice of motion.

Mr. R.S.Sidhu, Assistant Advocate General, Punjab accepts notice on behalf of respondents. Copies of the writ petition have been supplied to him.

Keeping in view the limited relief sought by the petitioner, this Court is of the opinion that there is no requirement of calling for any reply on behalf of the State.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of with a direction to respondent no.2 to take into consideration the said legal notice dated 26.11.2015 (Annexure P/5) and pass an appropriate order in accordance with law within a period

of three months from the date of receipt of a certified copy of this order. In case the petitioner is found entitled for the said benefit, the financial benefits be paid to her within two months thereafter. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

The present writ petition is disposed off with the aforesaid directions.

January 21, 2016
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(G.S.SANDHAWALIA)
Judge