

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

CWP No. 2332 of 2016
Date of decision: 04.02.2016

Gurnam Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

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

G.S.SANDHAWALIA, J. (Oral)

The grouse of the petitioner is limited regarding the cut in the admissible pension to his wife Ranjit Kaur vide letter dated 01.07.2015 (Annexure P-3).

It is the case of the petitioner that while preparing the pension payment order, his wife was held entitled to a family pension of ₹8,226/- from the date of his death. The respondent no. 3 while preparing the certificate and gratuity payment order on 01.07.2015, reduced the pension payable to his wife to ₹4,113/-. It is the case of the petitioner that the petitioner's first wife had expired on 14.11.1999 and both his two daughters are already major and were married at the time of his retirement on 31.05.2015. He performed his marriage with Smt. Ranjit Kaur on 16.01.2015 and, therefore, his second wife would be entitled for the complete pension as no other person is eligible.

Counsel submits that the petitioner has served a legal notice dated 10.11.2015 (Annexure P-4) upon the respondents for the necessary

relief and decision on the same is pending and he would be satisfied if a time bound direction is issued to the respondents to decide the same.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the writ petition has been supplied to him in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need for the respondents to file reply.

Accordingly, without commenting on the merits of the case, this writ petition is disposed of with a direction to respondent no. 3 to take a fresh look at the whole issue and before passing any order, call upon the petitioner and associate him and take a decision on the said issue again. The said exercise be completed within a period of 3 months from the date of receipt of certified copy of the order. In case any adverse order is to be passed, then reasons be given justifying the cut made and be duly conveyed to the petitioner.

04.02.2016
shivani

(G.S. SANDHAWALIA)
JUDGE