

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18678 of 2016
DECIDED ON: OCTOBER 04, 2017

DASHMESH KAUR

.....PETITIONER.

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS.

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Deepika, Advocate for
Mr. Ranjivan Singh, Advocate,
for the petitioner.

Mr. Vijay Kumar, Senior Assistant with
Ms. Akanksha, AAG, Punjab.

Mr. Pranav Chadha, Advocate,
for respondent No.2.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to release/grant the benefit of family pension and other dues like DCRG etc. under the provisions of Rule 6.16-C and Rule 6.17 of Punjab Civil Services Rules along with interest @ 18% per annum from the date of its accrual i.e. 7.7.2014 to the petitioner.

2. At the very outset of the arguments, it has been submitted by learned State counsel that an amount of ₹8,28,000/- on account of DCRG has

already been released in favour of the petitioner, during the pendency of the instant writ petition.

3. As far as the grant of benefit of family pension is concerned, the same has also been released by the respondents but after the filing of instant petition.

4. Learned counsel for the petitioner submits that in view of the aforesaid aspects, the instant petition has rendered infructuous and same may be disposed of. However, the petitioner be awarded interest on the delayed payments.

5. The husband of the petitioner died on 06.07.2014 and the amount of CPF and pension etc. was withheld for a considerable period without there being any fault on the part of the petitioner. The petitioner remained deprived of the utilization of the aforesaid amount(s) during the period of delay.

6. As such, keeping in view the aforesaid aspects but without expressing any opinion on the merits, instant petition is disposed of with a direction to respondent(s) to grant interest @ 9% per annum after three months from the demise of the husband of the petitioner till the date of actual payment.

7. However, if the petitioner still feels aggrieved of the order passed by the concerned authority, she shall be at liberty to approach this Court.

OCTOBER 04, 2017,
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***