

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

CWP No.15203 of 2017

Date of decision: July 17, 2017

Amarjit Kaur

....Petitioner

Versus

State Bank of Patiala (Now SBI) and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashok Giri, Advocate
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ, especially in the nature of mandamus directing the respondents to release family pension to the petitioner forthwith along with interest w.e.f. 01.04.2012.

The contention of learned counsel for the petitioner is that the husband of the petitioner retired from Military service and was getting family pension. Subsequently thereto, re-employed in Northern Railway w.e.f. 30.05.1988 as MLD-II and retired from Railway Department on 31.03.2012. He was getting family pension from Railways @ Rs.6,290/- per month and was drawing the same from State Bank of Patiala, Khamano Branch-respondent No.2. Unfortunately, the husband of the petitioner expired on 28.11.2012. Though the petitioner has already furnished the complete requisite papers to the Chief Manager, State Bank of Patiala, Centralized Pension Processing Centre, Urban Estate, Phase-II, Patiala along with forwarding letter dated 05.02.2014 but till date no action has been taken.

Learned counsel for the petitioner further contends that subsequent thereto, the petitioner was also constrained to serve legal notice upon the Chief Manager of the Bank in response to which a stand has been taken by the respondent-Bank that the requisite papers has not been submitted but as submitted earlier, the requisite papers were submitted complete in all respects in the month of February, 2014.

Instant petition is disposed of with direction to locate the papers which was submitted to the Bank along with letter dated 05.02.2014 (Annexure P-3) and take an appropriate decision within a period of three months from the date of receipt of certified copy of this order, however, in case respondents are unable to locate the papers, the copy of the documents be taken afresh and then take a conscious decision within the aforesaid stipulated period.

July 17, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No