

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

**CWP No.17031 of 2017
DECIDED ON: August 02, 2017**

KRISHNA DEVI

.....PETITIONER..

VERSUS

**UTTAR HARYANA BIJLI VITRAN
NIGAM LTD. (UHBVNL) AND OTHERS**

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jaspal Singh Mannipur, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, the petitioner has sought issuance of a writ, order or direction especially in the nature of mandamus, directing the respondents to grant disability pension to the husband of the petitioner w.e.f. 01.05.1987 till the date of his death on 28.10.2010 in terms of Rule 5.12 of Section III of the Punjab Civil Services Rules Volume II as applicable to the State of Haryana and further applicable to the erstwhile UHBVNL and thereafter family pension to her along with interest @ 12% per annum in terms of the law laid down by the Hon'ble Apex Court of India in case of "S.K. Mastan Bee v. The General Manager, South Central Railway" reported as 2003 (1) SCT page 367 and by this Court in case "Lajwanti v. HVPNL and others" CWP No.14080 of 2013

decided on 19.05.2015 or in the alternative respondents be directed to take decision on the legal notice.

2. Learned counsel for the petitioner further contends that though legal notice dated 07.04.2017 (Annexure P-6) was duly served upon the respondents but till date neither any response has been received to the said legal notice nor any conscious decision has been taken thereon.

3. Accordingly, instant petition is disposed of with the direction to respondent No. 1-Managing Director, UHBVNL, Vidyut Sadan, Sector 6, Panchkula (Haryana), to look into the grievances unfolded by the petitioner in her legal notice dated 07.04.2017 (Annexure P-6) and take a conscious decision in terms of Rule 5.12 of Section III of the Punjab Civil Services Rules Volume II, within a period of 3 months from the date of receipt of certified copy of this order.

August 02, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*