

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 19451 OF 2017
DECIDED ON: SEPTEMBER 12, 2017

MANDEEP KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Paramjit Jakhar, Advocate for
Mr. Raj Kumar Chandana, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

Prayer in this petition preferred under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to grant family pension of late Harnam Singh to petitioner being un-married daughter, alongwith arrears and interest @ 18% per annum as well as to consider and finalize the claim of the petitioner as submitted vide representation dated 20.10.2016 (Annexure P-3).

2. The contention of learned counsel for the petitioner is that the father of petitioner, namely Harnam Singh was working as Teacher in Punjab Government and retired in the year 1989. After his retirement, he was granted pension. Unfortunately, he died in the year 1990 and after his death, Jasbir Kaur wife of Harnam Singh, who was also working as teacher in Punjab Govt. started

getting family pension and after her retirement, she started getting both the pensions. She was also taken away by the nature in the year 2013 leaving behind the petitioner being unmarried daughter. The petitioner applied for grant of family pension but the respondents granted family pension of her mother only.

3. Learned counsel for the petitioner further contends that the petitioner being un-married daughter of Harnam Singh and Jasbir Kaur, falls within the definition of "Family". Even, a representation dated 20.10.2016 (Annexure P-3) was moved to the respondents but till date no action has been taken. He further submits that petitioner feels satisfied in case direction is issued to respondents to decide the aforesaid representation within a stipulated period.

4. Without commenting on merits of the petition but keeping in view the afore-stated aspects, instant petition is disposed of with a direction to respondent No.2-Director Public Instruction (Elementary Education), Vidya Bhawan, SAS Nagar Mohali to look into the grievances unfolded by the petitioner in her representation dated 20.10.2016 (Annexure P-3) and to decide the same, strictly in accordance with rules and regulations, within a period of three months from the date of receipt of certified copy of this order.

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

SEPTEMBER 12, 2017
sonika

(JASPAL SINGH)
JUDGE

***Whether speaking/reasoned* Yes**

***Whether reportable* Yes/No**