

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

CWP No. 27342 of 2015
Date of Decision: 23.02.2017

BAHADUR SINGH AND OTHERS

... Petitioners

VS.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. J.S. Lalli, Advocate,
for the petitioners.

Mr. S.S. Chandumarja, Addl. A.G., Punjab

KULDIP SINGH, J (ORAL)

The petitioners have preferred this writ petition under Article 226/227 of the Constitution of India praying for issuance of writ in the nature of mandamus for directing respondents No.1 to 3 for release of the retiral benefits of Maghar Singh alongwith interest and also to release the family pension.

Brief facts of this case are that one Maghar Singh died in harness on 28.07.2005 unmarried and issueless. He was succeeded by his mother Nasib Kaur. Thereafter, litigation broke out between Nasib Kaur and Gurpreet Singh S/o Bahadur Singh regarding pensionary benefits of the deceased. Now, Nasib Kaur, mother of Maghar Singh, has also died in the year 2013. The petitioners claim that they are legal heirs of Nasib Kaur and therefore entitled to the pensionary benefits of the Maghar Singh.

On behalf of the State, it is stated that the respondent-department require the petitioner to submit the claim application alongwith legal heirs certificate and succession certificate. The said application and the requisite

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certificates have not been submitted by the petitioners, therefore, the present petition is pre-mature.

In the circumstances, the petition is disposed of with a direction to the petitioners to submit the formal application to the respondent-department alongwith legal heirs and succession certificate and thereafter let the respondent-department take decision expeditiously on the same by passing a speaking order and accordingly intimate the petitioners.

February 23, 2017

Suresh Kumar

**(KULDIP SINGH)
JUDGE**

<i>Whether speaking / reasoned</i>	:	✓ Yes / No
<i>Whether Reportable</i>	:	✓ Yes / No