

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

CWP No. 5267 of 2015
Date of Decision: 09.11.2017.

Tara Wati

... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam and Ors.

... Respondents

CORAM : Hon'ble Mr. Justice Jaspal Singh

Present : Mr. Jarnail Singh Saneta, Advocate
for the petitioner(s).

Mr. R.S. Longia, Advocate
for the respondents.

JASPAL SINGH, J (Oral)

By virtue of the writ petition preferred under Articles 226/227 of the Constitution of India, the petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to grant the family pension to the petitioner as well as to release other pensionary benefits like gratuity, leave encashment, etc. which were admissible to her husband namely Sh. Bhagtu Ram and the release of arrears of pension and an amount of pensionary with interest.

2. At the very outset of the arguments, it has averred that an amount recovered by adjustment of an amount of Rs.154527/- outstanding against them on account of electricity bills has been recovered by

adjustment from his dues as per the instructions of the Nigam from the retiral benefits of the deceased as already been released by the petitioner which has also been cleared by the Chief Auditor UHBVNL, Panchkula. Payment of Rs. 175091/- was made to her vide Cheque No.227530 dated 19.08.2014. The payment of Rs.249491/- was made clear vide cheque No. 323321 dated 22.09.2014.

3. However, an amount of Rs.154527/- which was outstanding against petitioner and her husband on account of electricity bills has been recovered by way of adjustment from his dues. As per the instructions payment made by the respondent to the petitioner referred to above, the learned counsel for the petitioner does not wish to proceed with the instant petition and withdraw the same but with liberty to file a fresh petition in case, any cause of action still survives. In the light of aforesaid statement and discussion, the instant petition is dismissed as withdrawn but with liberty to file a fresh one in case any cause of action survives.

Disposed of.

(JASPAL SINGH)
JUDGE

November 09, 2017

P.Sharma

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No