

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 28129 OF 2017
DECIDED ON: DECEMBER 12, 2017

AARTI

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Rishma Verma, Advocate
for the petitioner.

JASPAL SINGH, J.

By virtue of 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 respondent No.2 to release the family pension of deceased-Banarso to the petitioner as per rules, regulations, applied to Municipal Corporation, Jalandhar and for setting aside the endorsement dated 25.08.2015 (Annexure P-1).

2. At the very outset of the arguments, learned counsel for the petitioner submits that though legal notice dated 04.05.2017 (Annexure P-7) was duly served upon the respondents but till date neither any benefit has been released nor any response has been received. She further submits that petitioner feels satisfied in case direction is issued to respondent No.2 to decide aforesaid legal notice, within a stipulated period.

3. Instant petition is disposed of with a direction to respondent No.2- Commissioner, Municipal Corporation, Jalandhar to look into the grievances unfolded by the petitioner in her legal notice dated 04.05.2017 (Annexure P-7) and to decide the same strictly in accordance with Rules, Regulations and Instructions issued by Govt. from time to time and keeping in view the fact that though petitioner is having abnormality of whole body to the extent of 90% but at the same time, she is neither mentally retarded nor mentally ill as is evident from disability certificate (Annexure P-3), within a period of three months from the date of receipt of certified copy of this order.

4. However, if the petitioner still feel aggrieved against the order passed by the concerned authority, she shall be at liberty to approach this Court.

DECEMBER 12, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*