

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.468 of 2017

Date of Decision: 16.01.2017

Swaranjit Kaur

...Petitioner

Vs.

Union of India & others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

For the second time the case is called for hearing. No one appears to press the petition. The Court is not bound to adjourn the case due to absence of counsel without even seeking a pass over in the first two rounds.

The petitioner claims revision of family pension as per the 6th Central Pay Commission and as per Rule 54(6) of the Central Civil Services (Pensions) Rules, 1972 as amended up to date. She has waited for a long time for a decision on her pending case for enhancement of the family pension but it has evoked no response from the respondents. The petitioner pleads that she belongs to a poor family and the un-revised family pension she receives is not sufficient for the daily needs of her family. She was widowed on 27.09.2009. Had he not died, her husband would had retired in 2022. He used to serve the respondent-Bharat Petroleum Corporation Ltd. She has submitted two representations to the authorities in the organization dated 28.01.2013 and 13.02.2013 Annex P.3 and P.4 respectively. She has sent reminders in 2015 and 2016 Annex P.6 and P.7.

Instead of issuing notice to the respondents to await their reply a direction is issued to the competent authority amongst the respondents to take up the representations of the petitioner and the reminders and pass an order in accordance with law. In case money is due then it would be paid after calculating the arrears and depositing it in the account of the petitioner within two months from the date of receipt of certified copy of this order, either from the Court or from the petitioner, whichever is earlier. In case, for any reason an order adverse to the petitioner is to be passed then it shall be a speaking one and effective opportunity of hearing will be given to the petitioner or to her nominee/next friend before an order is made and conveyed to the petitioner.

With the above observations and directions, this petition is disposed of.

Copy of the order be sent to the parties.

(RAJIV NARAIN RAINA)
JUDGE

16.01.2017
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Whether speaking/reasoned *Yes*

Whether reportable *No*