

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.23696 OF 2003

ORDER

Challenging the action of the respondents in not granting death benefits and family pension to the petitioner, the present writ petition is filed.

Learned counsel appearing for the petitioner contends that husband of the petitioner was employed as Police Constable and while working as such, he had expired on 2.3.1965; that though the petitioner is entitled to the death benefits of her late husband, the respondents are not paying the pensionary and other benefits to her.

Learned Government Pleader appearing for the respondents submits that the husband of the petitioner was dismissed from service *vide* order dated 21.1.1965; that a dismissed employee is not entitled for any pensionary benefits and that the writ petition is liable to be dismissed.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that ends of justice would be met if a direction is given to the petitioner to submit a representation to the respondents.

Accordingly, the Writ Petition is disposed of directing the petitioner to submit a representation to the respondents

seeking for grant of death benefits and family pension within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same and pass appropriate orders within four weeks thereafter, in accordance with Pension Rules. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

26th November, 2018
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