

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

CWP-17492-2013 (O&M)
Date of decision : 09.02.2018

Sita Devi @ Sita Rani

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Manish Saini, Advocate,
for Mr. R.K. Saini, Advocate,
for the petitioner.

Ms. Sudeepti Sharma, Addl.A.G., Punjab.

Ms. Ramandeep Kaur, Advocate,
for Mr. Sumeet Goel, Advocate,
for respondent No.5.

Mr. Jasneet Mehra, Advocate,
for Mr. L.M. Gulati, Advocate,
for respondent No.6.

JITENDRA CHAUHAN, J. (Oral)

The petitioner is aggrieved against order dated 06.06.2013 (Annexure P-8), passed by Chief Engineer/Canals, Irrigation Department, Punjab, whereby, the legal notice served by the petitioner had been rejected. The petitioner had laid claim to the pensionary benefits on account of the death of her son, Rakesh Kumar, on the ground that the deceased had nominated her as first nominee in case of his death, whereas, respondent No.6, Shivani Jalota, daughter of the deceased had been nominated as second nominee.

Vide order dated 25.10.2016, the parties were referred to the Mediation and Conciliation Centre of this Court. Vide settlement dated

02.02.2017, the petitioner and respondent No.6 have entered into a compromise, wherein, it has been decided that the petitioner and respondent No.6 shall share the pension and all other pensionary including GPF and/or PPF etc. accruing on account of the death of Rakesh Kumar in the ratio of 30:70. A copy of the settlement is taken on record as Mark 'A'.

Learned counsel for the parties further inform that in pursuance of impugned order Annexure P-8, necessary documents have been already furnished, however, till date nothing has happened. However, there is no proof on record with regard to furnishing of the documents.

In view of the settlement reached, the parties are directed to furnish the requisite documents under receipt. Thereafter, the competent authority which is stated to be respondent No.2, shall examine the papers and if on examination, the documents furnished are found to be in order, the necessary benefits be released in favour of the nominee(s) as per Rules forthwith. The petitioner as well as respondent No.6, undertake to share the amount so received, as per the settlement reached.

Disposed of.

09.02.2018
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No