

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.12529 OF 2018
DECIDED ON: MAY 17, 2018

INDERJIT KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.S. Khurana, 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 in the nature of certiorari quashing the action of respondents No.4 and 6 whereby the family pension has been stopped on the ground of remarriage with younger brother of her deceased husband. And further for issuance of a writ in the nature of mandamus directing the respondents to restore the family pension w.e.f. 04.11.2001 and also to pay all the arrears along with interest in view of law laid down by this Court in “*Amrit Kaur @ Paramjit Kaur v. State of Punjab and others*”, MANU/PH/3886/2013, “*Ram Rati Devi v. State of Haryana and others*”, MANU/PH/3080/2014 and “*Lado Devi v. State of Haryana*”, MANU/PH/1842/2001.

2. At the very outset of the arguments, learned counsel for the

petitioner submits that though legal notice dated 03.03.2018 (P-9) was duly served upon the respondents but till date neither any response has been received nor any decision has been taken thereon. He further submits that petitioner feels satisfied in case direction is issued to respondents to consider and decide the afore-said legal notice, within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by petitioner in her legal notice (P-9) and to decide the same in the light of judgments captioned as ***“Amrit Kaur @ Paramjit Kaur v. State of Punjab and others”***, MANU/PH/3886/2013, ***“Ram Rati Devi v. State of Haryana and others”***, MANU/PH/3080/2014 and ***“Lado Devi v. State of Haryana”***, MANU/PH/1842/2001 (Annexures P-4 to P-6 respectively), within a period of three months from the date of receipt of certified copy of this order.

4. However, if petitioner still feels aggrieved against any order passed by the aforesaid authority, she shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

MAY 17, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>