

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

(214)

CWP-24187-2015

Date of Decision: November 28, 2018

Dimple

..Petitioner

Versus

Punjab State Power Corporation Ltd. and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashish Goklaney, Advocate, for the petitioner.

Mr. Roshan Lal Sharma, Advocate, for the respondents.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner has made a prayer for the grant of family pension after the death of her father Sh. Devi Lal. As per the facts narrated in the petition, father of the petitioner joined as a lineman in the respondent P.S.E.B. (now Punjab State Power Corporation Ltd.) on 08.10.1979. He was further promoted as a lineman on 09.11.1994 and retired on 31.10.2006. After the retirement, father of the petitioner was granted pension. In paragraph 3 of the petition, the petitioner has given a description about the legal heirs at the time of death of Sh. Devi Lal. It has been mentioned that all the sons of Sh. Devi Lal i.e. brothers of the petitioner are over 25 years of age and only two daughters namely Lachmi and Dimple, who are still unmarried and hence are entitled to the grant of family pension.

Notice of motion was issued. The respondents have filed the reply. In the reply, the respondents have stated that the petitioner served a legal notice upon the respondents on 15.09.2015 but before the expiry of the time period given in the legal notice, the present writ petition was filed.

With regard to the entitlement of the petitioner for the grant of family pension, the respondents have mentioned that the petitioner has to produce the affidavit that she is not earning any livelihood and after receiving the said information, the family pension case will be considered and decided.

Learned counsel for the petitioner states that the petitioner is unmarried and is not earning any livelihood.

Learned counsel for the petitioner states that an affidavit to the effect that petitioner is unmarried and is not earning any livelihood, will be submitted with the respondents within a period of four weeks from today.

After receiving the said affidavit, the grant of family pension to the petitioner shall be considered by the respondents and an appropriate speaking order shall be passed on the claim made by the petitioner. The speaking order shall be passed within two months after they receive the affidavit from the petitioner.

In case, the petitioner is found entitled for the family pension, the same shall also be released to the petitioner within a period of two months thereafter along with all the arrears for which the petitioner is entitled for after the death of her father i.e. from 01.01.2015.

The writ petition stands disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

November 28, 2018
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No