

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24954 OF 2018
DECIDED ON: SEPTEMBER 28, 2018

NIRMALA KUMARI

....PETITIONER

VERSUS

PUNJAB STATE POWER CORP. LTD.
AND ORS.

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Rattan, Advocate for the petitioner.

JASPAL SINGH, J.

Through the instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to grant revised liberalized family pension/ family pension and other pensionary benefits by counting work charge service rendered by her husband w.e.f. 11.11.1982 to 15.04.1999, which becomes 16 years, 5 months & 05 days approx. along with regular service w.e.f. 16.04.1999 to 31.05.2012, which becomes around 13 years, 1 month and 15 days approx. and total service become 29 years 6 months & 20 days approx., but the deceased granted pension only for 13 years (26½ half years), whereas he is entitled for pension for 29 years (58 half years) and further grant of interest @ 12% p.a. on revised family pension and other pensionary benefits for which she is entitled.

2. Learned counsel for the petitioner contends that though representation dated 01.09.2017 (P-6) was moved to the respondents followed

by legal notice dated 12.08.2018 (P-8) but till date neither any response has been received nor any final order has been passed by the respondents. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the legal notice dated 02.07.2018 (P-7) in a time bound manner.

3. In view of above, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in her legal notice dated 12.08.2018 (P-8) and to take a conscious decision by passing a speaking order in view of judgment ***“Kesar Chand vs. State of Punjab, AIR 1988, Punjab, 265*** within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to her within a period of next one month. Factum of interest be also considered on delayed payment(s) in view of judgment passed by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** as well as judgment passed by this Court in ***Baldev Singh vs. State of Punjab and Anr., CWP No.24845 of 2015***, decided on August 01, 2017.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority concerned, she shall be at liberty to approach this Court or to have recourse to the remedies available under law.

SEPTEMBER 28, 2018
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(JASPAL SINGH)
JUDGE

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