

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

Sr. No.109

Civil Writ Petition No.2668 of 2018
DECIDED ON: April 17, 2018

GEETA DEVI

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Mandeep Kaushik, Advocate for
Mr. Amit Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ especially in the nature of Mandamus directing the respondents to ensure prompt payment of all post death benefits and grant of family pension to her in the light of Haryana Family Pension Scheme, 1964 and to pay all attending consequential benefits by way of arrears with interest @ 18% per annum.

2. The contention of learned counsel for the petitioner is that though representations dated 16.06.2017 & 25.10.2017 (P-3 & P-4) were made to the respondents but till date neither any reply to the said representations has been received nor any final order has been passed by the respondents. He further submits that she feels satisfied in case a direction is

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issued to respondent No.2 to decide the above said representations in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.2 to consider the grievances unfolded by the petitioner in her representations dated 16.06.2017 & 25.10.2017 (P-3 & P-4) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid representations, within a period of two 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 45 days. Factum of interest 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 CWP No.8772 of 2015 captioned as **Charan Dass vs. State of Punjab & Ors.** decided on July 11, 2017 and Instructions No.1/2(152) 01-2 FR II dated 20.02.2002 issued by the Government of Haryana, be also considered on delayed payment(s).

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, she shall be at liberty to approach this Court.

April 17, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**