

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

Sr. No.107

Civil Writ Petition No.28706 of 2017
DECIDED ON: January 30, 2018

RAM KARAN AND ANOTHER

..PETITIONERS

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Harish Nain, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of Mandamus directing the respondents to grant family pension to the petitioners being the parents of their deceased son namely Raj Kumar Garg who has been taken away by the nature while in service along with interest @ 18% per annum.

2. The contention of learned counsel for the petitioners is that son of the petitioners namely Raj Kumar Garg was appointed as Assistant in the office of Intelligence Bureau in the year 1991 and posted there about one year and thereafter he was again appointed as Auditor in the office of Accountant General, Haryana on July 06, 1992. After rendering about three years of service in the office of Accountant General, Haryana, he was again appointed as Assistant in the office of Ministry of External Affairs on

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January 04, 1995 and unfortunately he was expired on November 12, 1995. Though, petitioners moved from one pillar to other for grant of family pension under the provisions of the Family Pension Rules, 1964 and other Rules operative at the time of demise of their son but no action was taken. Ultimately, they served a legal notice dated May 18, 2017 (P-6) upon respondent No.2, in response to which, it was informed vide letter dated July 10, 2017 (P-7) that the matter has referred to the Department of Pension and Pensioners Welfare but despite the fact that a period of more than six months has elapsed nothing substantive action has been done.

3. Learned counsel for the petitioners submits that they feels satisfied in case a direction is issued to respondents to deal with and dispose of the legal notice dated May 18, 2017 (P-6) within some specified period.

4. Instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioners in the above said legal notice dated May 18, 2017 (P-6) and within a period of four months from the date of receipt of a certified copy of this order. If they come to the conclusion, then pass a speaking order and in that event, petitioners shall be at liberty to approach this Court and to have recourse to other remedies available under the law.

January 30, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**