

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

Sr. No.109

**Civil Writ Petition No.28972 of 2017 (O&M)
DECIDED ON: January 10, 2018**

SWARAN KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sukhmani Tiwana Patwalia, Advocate for
Mr. Vikas Singh, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

CM No.16 of 2018

An application under Order 1 Rule 10 CPC read with Section 151 CPC for impleading Excise & Taxation Commissioner, Patiala, Punjab as respondent No.5, being necessary party for disposal of instant petition.

Application is allowed and amended memo of parties is taken on record.

CWP No.28972 of 2017

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 in the nature of Mandamus directing the respondents to grant family pension and other benefits to the petitioner on account of death of her husband Mukhtiar Singh along with interest @ 12%.

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2. The contention of learned counsel for the petitioner is that husband of the petitioner joined the service as a watchman in the office of respondent No.4 on daily wage basis on March 15, 1990, ultimately his services were regularized vide order dated June 20, 2007. Unfortunately while in service, her husband Mukhtiar Singh died on December 10, 2016. After the death of her husband, all the benefits were not released/disbursed to the petitioner.

3. Learned counsel for the petitioner further contends that representation dated April 12, 2017 was made to the respondents but no final decision has been taken by the concerned authorities till date.

4. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide above said representation (P-2) in a time bound manner.

5. Instant petition is disposed of with a direction to respondent No.2-Divisional Excise & Taxation Commissioner, Jalandhar Divison, Jalandhar, Punjab to look into the grievances unfolded by the petitioner in his representation dated April 12, 2017 (P-2) and take a conscious decision by passing a speaking order that too, after giving a patience hearing to the petitioner within a period of three months from the date of receipt of a certified copy of this order.

6. However, if petitioner still feels aggrieved by any order of the afore-said authority, she shall be at liberty to approach this Court.

January 10, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**