

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 30077 of 2018  
Date of Decision : 29.11.2018

Ramandeep Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM:**    *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present:    Mr. Jasbir Singh Mohri, Advocate for the petitioner.

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**Harsimran Singh Sethi, J.(Oral)**

In the present writ petition, the petitioner has approached this Court seeking the family pension after the death of her father Sh. Gurmeet Singh.

Contention which has been raised by the petitioner in support of her claim is that her father was initially appointed as a Special Police Officer on 12.08.1992 and thereafter he was absorbed as a Constable on 01.09.2006. The respondents are taking the appointment of the father of the petitioner as 01.09.2006 and keeping in view the fact that at the relevant time New Pension Scheme was in operation, according to which no pension is admissible, the claim of the petitioner for the grant of family pension has not been allowed so far. Learned counsel for the petitioner states that in view of the decision of this Court in CWP No. 2371 of 2010, titled ***Harbans Lal Vs. The State of Punjab and others***, decided on 31.08.2010 as well as CWP No. 29080 of 2017 titled ***Chhinder Pal Kaur and others***

***Vs. State of Punjab and others***, decided on 23.01.2018, which have also been allowed by this Court in the cases of Special Police Officers, the petitioner is entitled for the family pension as the late father of the petitioner will be governed by the Old Pension Scheme.

Learned counsel for the petitioner states that at this stage, the petitioner will be satisfied in case a direction is given to the respondents to decide her representation dated 25.02.2017 (Annexure P-10) sent to the respondents.

Without commenting anything on the merits of the case and the entitlement of the petitioner to seek family pension, the present writ petition is disposed of with a direction to the respondents to pass appropriate speaking order on the claim raised by the petitioner in the representation dated 25.02.2017 (Annexure P-10) within a period of three months from the date of receipt of certified copy of this order.

In case after the order is passed, it is found that the petitioner is entitled for the family pension, the same should also be released from the date when she became entitled for along with arrears within a period of next three months.

The writ petition stands disposed of accordingly.

**November 29, 2018**  
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**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned?*    *Yes/No*  
*Whether reportable?*            *Yes/No*