

CWP No. 6598 of 2018
DECIDED ON: MARCH 16, 2018

ROBINPREET SINGH MINOR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Alka Chatrath, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to grant him family pension and ex-gratia benefits etc. after the death of his father by counting the total service rendered by his father after regularization i.e. 01.01.2014 and to treat his father under old General Provident Fund Scheme, which was applicable to the employees recruited in Punjab Government service prior to 01.01.2004, in view of judgments passed by Hon'ble Division Bench of this Court in CWP No. 2371 of 2010, titled as *Harbans Lal vs. State of Punjab and others*; decided on August 31, 2010, CWP No. 3250 of 2014, titled as *Baldev Singh & another vs. State of Punjab and others*, decided on July 14, 2014 (P-10) as well as in CWP No. 24472 of 2015, titled as *Constable Rajesh Kumar & ors vs. State of Punjab & another*;

decided on January 07, 2016 (P-11), order dated 09.05.2016 (P-12) and CWP No. 1299 of 2017, titled as **Buta Singh and others vs. State of Punjab and others**, decided on February 22, 2017 (P-13).

2. The contention of learned counsel for the petitioner is that the father of the petitioner died in harness on June 30, 2016 but till date he has not been granted the benefit of family pension. Petitioner constrained to serve a legal notice dated January 04, 2018 (P-14) for seeking the relief of family pension but till date no action has been taken. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the afore-said legal notice January 04, 2018 (P-14) within a time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents No.2 and 3 to look into the grievances unfolded by the petitioner in legal notice dated January 14, 2018 (P-14) and to take a conscious decision in accordance with law, rules and regulations particularly in view of judgments referred in para 1 of this order, within a period of three months from the date of receipt of certified copy of this order.

4. However, in case the petitioner still feels aggrieved, he shall be at liberty to have recourse to the other remedies available under law including to approach this Court.

MARCH 16, 2018
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(JASPAL SINGH)
JUDGE

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