

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

Sr. No.124

Civil Writ Petition No.7490 of 2018
DECIDED ON: March 26, 2018

SUKHWINDER KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Bajaj, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ particularly in the nature of Mandamus directing the respondents to count the service rendered by the husband of the petitioner as SPO on daily wage basis prior to his regularization as Constable as qualifying service for the purpose of family pension and other pensionary/retiral benefits WITH FURTHER to grant pensionary benefits to her as per the old General Provident Fund Scheme.

2. Learned counsel for the petitioner contends that husband of the petitioner namely Tarsem Singh was taken away by the nature on 22.01.2012. Subsequent thereto for seeking family pension and other pensionary benefits, petitioner served a legal notice to the respondents on 09.08.2017 (P-5) but till date neither any reply has been received nor any final decision has been taken by the concerned authorities. He further

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submits that she feels satisfied in case a direction is issued to respondents to decide her representation (P-5) within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to consider the grievances unfolded by the petitioner in the legal notice dated 09.08.2017 (P-5) and take a conscious decision by passing a speaking order as per rules, regulations and instructions issued by the Government from time to time as well as judgments referred to above in the legal notice (P-5), within a period of four months from the date of receipt of a certified copy of this order. In case of passing an adverse order or rejection of this claim putforth by the petitioner, she shall be at liberty to approach this Court.

March 26, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**