

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 9120 OF 2018
DECIDED ON: APRIL 18, 2018

SUSHILA DEVI

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORP. LTD
AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.K. Goklaney, Advocate
for the petitioner.

JASPAL SINGH, J.

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus, directing the respondents to release the revised family pension, after granting the benefit of promotional increment on completion of 23 years of regular service of her husband, in view of instructions issued by the respondent-department from time to time as well as in view of judgments passed by this Court and to release interest @ 12% from the date when it became due till its realization.

2. The contention of learned counsel for the petitioner is that the husband of the petitioner joined the department as Assistant Lineman on regular basis on 14.03.1985 and further promoted as Lineman on 20.10.2009 but unfortunately he expired on 05.07.2011 during service. After the death of her

husband, petitioner is fully entitled for the release of all pensionary benefits being his widow. Even, petitioner served legal notice dated 26.02.2018 (P-12) but till date neither any response has been received nor any decision has been taken. He further submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid legal notice (P-12), within a stipulated period.

3. Instant petition is disposed of with a direction to respondent No.1- Chairman-cum-Managing Director, Punjab State Power Corporation Ltd, Patiala to look into the grievances unfolded by the petitioner in legal notice dated 26.02.2018 (P-12) and to decide the same as per circular dated 23.04.1990 (Annexure P-1) especially in view of judgment passed by this Court in CWP-20139-2015, captioned as “*Chiman Singh v. Punjab State power Corporation Ltd. and ors*”, decided on 29.02.2016 (Annexure P-9), within a period of three months from the date of receipt of certified copy of this order.

4. However, if the petitioner still feels aggrieved against the order passed by the concerned authority, she shall be at liberty to have recourse to the other remedies as well as to approach this Court.

APRIL 18, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*