

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.133

Civil Writ Petition No.9888 of 2018
DECIDED ON: April 23, 2018

KANU

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gagneshwar Walia, 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 in the nature of Mandamus directing the respondents to grant family pension, gratuity (DCRG), Ex-gratia, Provident Fund along with arrears and interest with regard to services rendered by late petitioner's husband namely Bali Ram as Class IV, Safai Sewak with Police Department, who died in harness on 08.02.2014 by counting his entire daily wage service rendered prior to his regularization as qualifying service for the purpose of pensionary/retiral benefits AND furthermore the husband of the petitioner be held entitled to receive pensionary benefits as per the old GPF Scheme which was applicable to employees recruited in Punjab Government Service prior to 01.01.2004, the case being squarely covered by the decision dated 31.08.2010 passed by the Division Bench of this Court in CWP No.2371 of 2010 captioned as ***Harbans Lal Vs. State of Punjab*** (P-2), CWP No.1665 of

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2017 captioned as ***Budhi Singh & ors. Vs. State of Punjab & ors.*** decided on 09.08.2017 (P-5), CWP No.11802 of 2008, titled as ***Paramjit Kaur vs. State of Punjab & ors.***, decided on 11.05.2016 (P-6) and CWP No.27548 of 2017, captioned as ***Amarjit Kaur Vs. State of Punjab & ors.***, decided on 14.12.2017 (P-7).

2. Learned counsel for the petitioner contends that though a representation was made to the respondents on 10.11.2017 (P-8) but till date neither any reply to the said representation has been received nor any final order has been passed by the concerned Department. He further submits that petitioner feels satisfied in case a direction is issued to respondent No.3 to decide the aforesaid representation (P-8) within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.3 – Senior Superintendent of Police, Ferozepur, District Ferozepur (Punjab) to look into the grievances unfolded by the petitioner in the representation dated 10.11.2017 (P-8) and to take a conscious decision by passing a speaking order in the light of the judgments referred to above in para no.1 of this order, within a period of three months from the date of receipt of a certified copy of this order. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, she shall be at liberty to approach this Court.

April 23, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**