

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

(115)

CWP-2690-2019

Date of Decision: January 31, 2019

Kanta Devi @ Harpreet Kaur and others

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the prayer is being made by the petitioners for the grant of family pension after the death of their husbands.

Learned counsel for the petitioners states that the respondents are treating the husbands of the petitioners governed by the new pension scheme on the ground that their services were regularized from the year 2004 to 2010 and after 01.01.2004, only the new pension scheme is in operation according to which, the employees are not entitled for pension.

Learned counsel for the petitioners further states that case of the husbands of the petitioners is covered by the judgment of this Court passed in **CWP No.2371 of 2010 titled as Harbans Lal Vs. State of Punjab and others, decided on 31.08.2010** according to which, an employee though regularized in service after 01.01.2004 but was in service prior to the said date is to be governed by the old pension scheme.

Learned counsel for the petitioners further states that for the relief which has been claimed in the present writ petition, the petitioners

served the respondents with a representation dated 28.11.2018 (Annexure P-15) and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the representation dated 28.11.2018 (Annexure P-15) by passing a speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the representation dated 28.11.2018 (Annexure P-15), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 28.11.2018 (Annexure P-15) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioners are entitled to any monetary benefits after the decision of the representation, the same should also be paid to them within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

January 31, 2019
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No