

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3691-2019

Date of decision: - 11.02.2019

Manjeet Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Amit Kaith, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which has been raised by the petitioner is that her husband, namely, Sh.Harbhajan Singh, was recruited in the Indian Army and after the retirement, he joined the Punjab Roadways.

There is no date mentioned in the writ petition as to when husband of the petitioner had joined the Punjab Roadways.

During the course of hearing, counsel for the petitioner states that husband of the petitioner joined the Punjab Roadways as Driver in October, 1988 and he superannuated from the said post on 31.08.1999.

As per the averments made in the writ petition, husband of the petitioner was drawing the pension from the Indian Army as well as from the State of Punjab. Unfortunately, husband of the petitioner died on 16.09.2004, after which the petitioner has not been given the family pension by the Government of Punjab.

Counsel for the petitioner further states that as per the notification issued by the Government of India dated 17.01.2013, the family of the retired employee is entitled for dual family pension i.e. family pension from the Army as well as the State in respect of the employment, which retired Army personnel might have rendered with the State.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice on 16.03.2017 (Annexure P-3), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 16.03.2017 (Annexure P-3) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)

JUDGE

February 11, 2019

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Whether reasoned/speaking?

Yes

Whether reportable?

No