

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7833 of 2019

Date of Decision : 25.03.2019

Swaran Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K. Choudhary, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance which is being raised by the petitioner is that while in service, he suffered a gun shot injury on his shoulder and he was granted a lifetime disability pension amounting to Rs. 570/- per month w.e.f. 03.03.2004 but despite the said grant of pension, no actual pension has been released to the petitioner so far.

Learned counsel for the petitioner states that the petitioner has already served a legal notice dated 13.06.2018 (Annexure P-2) upon the respondents and the said legal notice has been forwarded by the competent authority to the Pension Disbursing Authority for taking an appropriate action. Learned counsel for the petitioner states that as no action was taken on the said recommendation, the petitioner again served a legal notice dated 17.10.2018 (Annexure P-5) upon the respondents but till today, no benefit has been extended to the petitioner despite the fact that the petitioner has been allowed the disability pension amounting to ₹570/- per month vide PPO No. D/RA/23612/2004 w.e.f. 03.03.2004.

Learned counsel for the petitioner states that the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the claim of the petitioner by passing an appropriate speaking order.

Notice of motion.

Ms. Geeta Sharma, Advocate appears and accepts notice on behalf of respondents No. 1 to 3. She states that she has no objection for the grant of prayer of the petitioner for deciding his legal notice dated 13.06.2018 (Annexure P-2) as well as legal notice dated 17.10.2018 (Annexure P-5) in a time bound manner by passing an appropriate speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the relief claimed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notices dated 13.06.2018 and 17.10.2018 (Annexures P-2 and P-5) respectively within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

March 25, 2019

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned? Yes

Whether reportable? No