

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

(125)

CWP-9793-2019

Date of Decision: April 11, 2019

Pooja and another

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. H.N. Sahu, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners states that though petitioner No.1 re-married after the death of her husband and therefore her family pension was stopped but petitioner No.2, who is the minor daughter of the deceased employee namely Kuldeep, is still entitled for the family pension after the remarriage of her mother under the rules.

Learned counsel for the petitioners states that after stopping the family pension of petitioner No.1, the same should have been extended in favour of petitioner No.2 but the respondents have not done so till today despite the fact that petitioner No.2 was entitled for the same under the Rules governing the grant of the family pension.

Learned counsel for the petitioners further states that for the relief which has been claimed in the present writ petition, the petitioners have served the respondents with a legal notice dated 22.01.2019 (Annexure P-8) and petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 22.01.2019 (Annexure P-8) by passing an appropriate 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 legal notice dated 22.01.2019 (Annexure P-8), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 22.01.2019 (Annexure P-8) 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 for any monetary benefits after the decision of the legal notice, the same should also be paid to them within three months thereafter.

April 11, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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