

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11952-2019

Date of decision: - 06.05.2019

Gurwinder 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 petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioners is that though their husbands were working as Special Police Officers and later on absorbed as Constables but unfortunately, they died while in service and petitioners have not been granted the family pension on the ground that the services of their husband were regularized after 2004 and the family pension is not applicable as Contributory Fund Scheme came in operation after 01.01.2004.

Counsel for the petitioners states that in view of the law laid down by the Division Bench of this Court in **CWP No.2371 of 2010**, titled '**Harbans Lal Vs. State of Punjab and others**, decided on **31.08.2010**, the benefit has already been extended to the similarly situated personnel by this Court while deciding **CWP No.11802 of 2008** titled as '**Paramjit Kaur Vs. State of Punjab and others**', decided on

11.05.2016; CWP No.29080 of 2017 titled as 'Chhinder Pal Kaur and others Vs. State of Punjab and others', decided on 23.01.2018; CWP No.18147 of 2018 titled as 'Usha Rani and others Vs. State of Punjab and others', decided on 29.11.2018 and CWP No.29103 of 2018 titled as 'Jagir Kaur Vs. State of Punjab and others', decided on 17.11.2018.

Counsel for the petitioners states that for the relief which has been sought in the present writ petition, petitioners have made a representation dated 22.01.2019 (Annexure P-14) to the respondents, which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation by passing the appropriate speaking order in view of the settled principle of law as mentioned above.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the respondents are directed to decide the representation dated 22.01.2019 (Annexure P-14) 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 petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.

Present writ petition stands disposed of.

**(HARSIMRAN SINGH SETHI)
JUDGE**

May 06, 2019
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Whether reasoned/speaking?
Whether reportable?

Yes
No