

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

**CWP No. 13237 of 2019
Date of Decision : 20.05.2019**

Punit Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance of the petitioner is that his father, who was a regular employee, unfortunately died on 19.07.2013 while in service and the claim made by the mother of the petitioner, namely, Smt. Neelam for the grant of the family pension after the death of Sh. Rakesh Kumar i.e. the father of the petitioner was not finalized and, unfortunately, mother of the petitioner also died on 21.02.2019.

Counsel for the petitioner argues that petitioner is a minor and is, therefore, entitled for the family pension under the Family Pension Scheme of 1964 in respect of the service rendered by his late father after the death of his mother.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 14.01.2019 (Annexure P-5) and

the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice by passing a 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 notice dated 14.01.2019 (Annexure P-5) 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.

May 20, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes*
Whether reportable? *No*