

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 14409 of 2019
Date of Decision : 27.05.2019

Kanwaljit Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. R.K. Arora, Advocate for the petitioners.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance of the petitioners is that w.e.f. 01.01.2006 upon revision of the pay scale, the Govt. of Punjab had directed that in no case, an employee will get pension, which is less than 50% of the initial pay, which the employee would have got had he/she been in service in the Corresponding Scale. By the Instructions dated 22.02.2010, similarly, the family pension was required to be not less than 30% of the initial pay, which the employee would have got had he/she been alive and serving in the Corresponding Pay Scale.

Learned counsel for the petitioners argues that family pension of the petitioners has not been revised and they are not being paid 30% of the minimum of the pay of the corresponding revised pay scale, in which their deceased husbands were working at the time of their retirement. Learned counsel for the petitioners prays that for the relief, which has been claimed in the present writ petition, the petitioners have served the

respondents with a legal notice dated 21.02.2019 (Annexure P-16), which is still pending consideration and the petitioners 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 petitioners 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 petitioners in the legal notice dated 21.02.2019 (Annexure P-16) 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 petitioners are entitled for any monetary benefits, the same should also be released to them within a period of next three months.

The writ petition stands disposed of.

May 27, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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