

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

(113)

CWP-19951-2019

Date of Decision: July 23, 2019

Lalita

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. N.S. Bains, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner argues that keeping in view the judgment of this Court in **LPA No.1434 of 2014 titled as State of Punjab and others Vs. Harpal Kaur, decided on 01.09.2014**, the share of the one of the claimant-wife does not ceases and has to be allowed to the other claimants as the respondents-State is under obligation to pay 100% family pension and therefore, as the petitioner is only surviving legal heir entitled for the family pension, petitioner will be entitled for 100% of the family pension.

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 01.05.2019 (Annexure P-5) which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the same by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 01.05.2019 (Annexure P-5) , the present writ petition

is disposed of with a direction to the respondents to decide the legal notice dated 01.05.2019 (Annexure P-5) within a period of three months from the receipt of copy of this order.

July 23, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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