

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20665-2019

Date of decision: - 29.07.2019

Paramjit Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, petitioner is claiming the benefit of family pension after the death of her husband, namely, Sh. Kulwinder Singh.

As per the averments made in the writ petition, petitioner got married with Sh. Kulwinder Singh on 06.09.2015 after the death of his first wife. Sh. Kulwinder Singh, who was working as an Inspector in the Punjab Police, retired on 30.09.2017 and thereafter, unfortunately died on 01.02.2018. Petitioner claims that being the legally wedded wife of Sh.Kulwinder Singh, she is entitled for the family pension in respect of the service, which Sh. Kulwinder Singh had to his credit before he retired.

As per the averments made in the writ petition, there are no other claimants, except the petitioner, who can claim the family pension and therefore, she prays for a direction to the respondents to release the

same w.e.f. Sh. Kulwinder Singh died.

From the averments, it transpires that for the relief, which has been sought in the present writ petition, petitioner has also served the respondents with a legal notice dated 28.02.2019 (Annexure P-7), which is still pending consideration with the respondents.

Interest of justice will be served, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

Without expressing any opinion on the merits of the case and entitlement of the petitioner in respect of the claim made in the writ petition/legal notice, the respondents are directed to decide the legal notice dated 28.02.2019 (P-7) within a period of three months from the date of receipt of a certified copy of this order. In case it is found that the petitioner is entitled for any relief, the same shall also be released to her within a period of next three months.

While deciding the claim of the petitioner, the respondents shall clearly give the finding as to whether there are any other legal heirs of Sh.Kulwinder Singh, who are entitled for the family pension or not.

Present writ petition stands disposed of

July 29, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No