

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

(242)

CWP-26765-2016

Date of Decision: July 10, 2019

Vittana Devi

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. G.P. Vashisht, Advocate, for the petitioner.

Mr. H.S. Sitta, AAG, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

In pursuance to the order dated 09.05.2019 passed by this Court, Mr. Ashwani Kumar Kaushal, Chief Engineer, Water Resources Department, Punjab has come present in the Court.

Keeping in view the instructions given by the Chief Engineer, learned State counsel argues that in the present writ petition, the children of the petitioner, who were though not eligible to get any benefit of family pension in respect of service rendered by Mangali Prashad had applied for the grant of succession certificate to the Deputy Commissioner, Hoshiarpur on the basis of forged documents and on the basis of those documents, Deputy Commissioner, Hoshiarpur, on 16.11.2010 has issued a succession certificate by treating the children of the petitioner as the children of the deceased employee. Thereafter, petitioner made a request for the grant of the benefit and as there was already a succession certificate issued in favour of the children of the petitioner, the department could not release the benefit in favour of the petitioner.

Counsel for the respondents further states that the petitioner has been already informed to secure a succession certificate in her favour by

putting any application before the competent authority so that the earlier succession certificate is withdrawn and a fresh certificate is issued in favour of the petitioner.

Faced with this situation, counsel for the petitioner states that he be allowed to withdraw the present writ petition with liberty to approach the competent authority for the grant of succession certificate in her favour and then approach the respondents for the release of the benefits in respect of the service rendered by her late father.

Counsel for the respondents assures that immediate action will be taken for the release of the benefit in favour of the petitioner after succession certificate is submitted by the petitioner.

Dismissed as withdrawn with liberty to approach the respondents with the succession certificate.

(HARSIMRAN SINGH SETHI)
JUDGE

July 10, 2019
harsha

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