

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

CWP No. 3719 of 2016

Date of decision : 05.11.2019

Omi Devi

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

In pursuance to the order dated 27.09.2019, an affidavit of Mr. K.K. Rao, IPS, Commissioner of Police, Faridabad has been filed in Court today, wherein, the respondents after re-considering the matter, have come to the conclusion that though according to rules, the dependent mother is entitled for the benefit of family pension but in the present case, the petitioner, who is claiming family pension after the demise of her son, namely, Surinder Kumar, has not been found to be dependent upon said Surinder Kumar and hence, is not eligible for the grant of any benefit as being claimed in the present writ petition and the same has already been declined by the competent authority vide order dated 31.10.2019, which has been attached as Annexure R-2 with the affidavit and has already been served upon the petitioner. The affidavit is taken on record.

As the respondents have declined the relief to the petitioner by passing an appropriate speaking order on the ground that the petitioner was not dependent upon her son, namely, Surinder Kumar, the present writ petition has been rendered infructuous.

However, petitioner will be at liberty to have her remedy against the said order before the appropriate authority or by filing a fresh writ petition challenging the said order.

Writ petition stands disposed of accordingly.

November 05, 2019
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

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