

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 5223 of 2017

Date of Decision : 04.04.2019

Kulwant Kaur

...Petitioner

Versus

Punjab State Power Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. B.R. Rana, Advocate for the petitioner.

Mr. P.P.S. Thethi, Advocate the respondents.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the petitioner's prayer is for the release of the dual pension by the respondent-Corporation in view of the Instructions issued by the Government of India that the widows of the Military Personnel, who were re-employed by the State, are entitled for dual family pension.

Written statement has been filed on behalf of the respondents today, wherein, it has been stated that the request of the petitioner has been accepted and the dual family pension has already been allowed to her w.e.f. 23.06.2016 onwards and in order to support the said averments, the respondents have attached the pension payment order, appended as Annexure R-2 alongwith the written statement. Learned counsel for the respondents states that Instructions of the Government of India in this

regard were accepted in June, 2016 and with effect from the said date, the petitioner has already been granted the benefit. The relevant portion of the reply is as under:-

- “1. The petitioner is not entitled to receive dual family pension from the date of death of her husband Sh. Pal Singh i.e. from 30.03.2012 when Sh. Pal Singh passed away, as the Government of Punjab vide its Notification No. 5/1/13-2RV/780838 dated 23.06.2016 has directed the department of the State Government to provide dual family pension on the pattern of the Policy of the Government of India. The answering respondents adopted the said Notification of the State Government vide Notification No. 45142/46041/FIN-727 dated 15.09.2016 to provide for dual family pension to the widows of Ex-Serviceman. A copy of the Finance Circular No. 13/2016 issued by the answering respondents adopted the policy of Government of India to provide for dual family pension to the widow of ex-serviceman is annexed herewith as Annexure R-1.*
- 2. That the case of the petitioner was considered and the benefit of dual family pension has been duly granted to her vide the pension pay order 04.12.2017 and she has been granted normal family pension of Rs. 5255/- w.e.f. 23.06.2016 onwards. The petitioner is regularly being distributed with the family pension by the answering respondents and the grievances of the petitioner have already been met. Copy of the pension pay order dated 04.12.2017 is annexed herewith as Annexure R-2. Therefore, the present writ petition deserves to be dismissed as infructuous on merits.”*

Counsel for the petitioner is unable to rebut the statement made

by learned counsel for the respondents.

In view of the above, no grievance of the petitioner survives any more and, therefore, the writ petition is disposed of having been rendered infructuous.

April 04, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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