

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-27277 of 2019

Date of decision: 23.09.2019

Harmohinder Kaur

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Arora, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

Counsel for the petitioner argues that upon refixation of the pay scale on 01.01.1986, the late husband of the petitioner, who was already a pensioner, was not granted the minimum pension of Rs.23000/- till he unfortunately died on 21.01.2019, though, the said benefit has already been extended to the juniors of the late husband of the petitioner namely Hardev Singh, Gurdev Singh and Amarjit Singh Mand vide order dated 05.07.2018 (Annexure P/11). Counsel further argues that after the death of husband of the petitioner, petitioner is entitled for family pension to the tune of Rs.13,800/- which is 30% of the minimum of the pay scale which has also not been extended to the petitioner so far. Counsel prays that a direction be issued to the respondents to revise the pension of the late husband of the petitioner w.e.f. 01.01.1986 till the date he died in January, 2019 and thereafter grant the petitioner family pension along with arrears.

Counsel for the petitioner states that for the relief which is claimed in the present writ petition, the petitioner has served the

respondents with legal notice dated 09.05.2019 (Annexure P/14) raising her claims 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 said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 09.05.2019 (Annexure P/14) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

23.09.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |