

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

**CWP No. 27961 of 2019
Date of decision : 27.09.2019**

Inderjit Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jasbir Singh Mohri, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the late husband of the petitioner was appointed as SPO on 24.08.1992 and he continued working as such till he was absorbed as a Constable on 30.05.2001. Thereafter, after rendering 10 years service on regular basis, husband of the petitioner retired on 31.01.2011. After the retirement, the late husband of the petitioner was not given any benefit for the service, which he had rendered from the year 1992 onwards till 31.01.2011, though under the Rules governing the service, late husband of the petitioner was fully entitled for the grant of benefits under the Old Pension Scheme. Learned counsel for the petitioner argues that the husband of the petitioner, unfortunately, died on 02.09.2018 and in the present writ petition, the petitioner is claiming the benefits in respect of the service rendered by her late husband from 24.08.1992 till 31.01.2011 under the Old Pension Scheme keeping in view the settled principle of law settled by the Division Bench of this Court while deciding CWP No.2371 of 2010 titled as **Harbans Lal Vs. State of Punjab and others**, on 31.08.2010, which judgment has already attained finality. Learned counsel for the petitioner further argues

from 03.09.2018 onwards alongwith arrears.

Learned counsel for the petitioner prays that a direction be issued to the respondents to grant the petitioner the benefit in respect of the service rendered by her late husband, for which her late husband was entitled after retirement on 31.01.2011 alongwith arrears including the pension from 01.02.2011 till 02.09.2018 and thereafter, the family pension in the name of the petitioner.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has submitted a representation dated 16.07.2019 (Annexure P-9) to the respondents, 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 representation.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the representation dated 16.07.2019 (Annexure P-9) 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.

Writ petition stands disposed of accordingly.

September 27, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>