

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.30139 of 2019

DATE OF DECISION:18.10.2019

Sh. Mukhtiar Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. P.C. Arora, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner states that son of the petitioner, who was working as an Assistant Sub Inspector was killed by the terrorists on 07.12.1991 while performing his duty. After the death of his son, the petitioner became entitled for the special family pension but the petitioner was only extended normal pension though as per the instructions, which have been issued by the Government of Punjab, the family of the employees, who were killed in a terrorist attack were entitled for the special family pension of ₹1410/- whereas the petitioner was given the normal family pension of ₹375/-.

Counsel argues that the said special family pension was to be further revised to ₹4,550/- w.e.f. 01.01.1996 and again revised to ₹11,470/- w.e.f. 01.01.2006. The said special family pension was to be again revised to ₹17,420/- w.e.f. 01.12.2011 but the benefit of the said special family pension alongwith revision has never been extended to the petitioner, who was fully eligible for the grant of the same.

The prayer of the petitioner is for issuance of directions to

the respondents to grant the petitioner the special family pension, as revised from time to time, instead of normal family pension, after the death of his son alongwith arrears.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 28.06.2019 (Annexure P-7) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 28.06.2019 (Annexure P-7) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 28.06.2019 (Annexure P-7), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 28.06.2019 (Annexure P-7) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision on the legal notice, the same should also be paid to him within three months thereafter.

October 18, 2019

jt

**(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable : Yes / No