

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

CWP-32663-2019

Date of decision: - 13.11.2019

Smt. Sushma

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. P.C. Yadav, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The claim of the petitioner in the present writ petition is that by the impugned order dated 01.03.2016 (Annexure P-5), she was directed to deposit a sum of ₹3,09,631/-, which she has withdrawn from 01.04.2007 till 30.10.2012, on the ground that after the death of her husband, namely, Sh. Jumman Ram, she has married one Sh. Sanjay and therefore, she was not entitled for the grant of family pension, which she fraudulently kept on withdrawing without disclosing the factum of second marriage.

Counsel for the petitioner argues that petitioner never married Sh. Sanjay and the letter written by Sh. Sanjay cannot be treated as a proof of the marriage without putting the said fact to the petitioner and pension of the petitioner has been wrongly stopped by the

respondents despite the fact that petitioner never married Sh. Sanjay. The prayer of the petitioner is for issuance of a direction to the respondents to restore her family pension alongwith arrears.

Counsel for the petitioner further states that for the relief, which has been sought in the present writ petition, petitioner has served the respondents with a legal notice dated 15.05.2018 (Annexure P-9), 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 15.05.2018 (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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 13, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No