

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

CWP-33112-2019

Date of decision: - 16.11.2019

Kunal Bhatti

....Petitioner

Versus

The Chairman, Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mohit Garg, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner states that father of the petitioner had unfortunately died on 03.01.2010, but after the death, the benefit of family pension was not released to the petitioner without any valid justification. On repeated requests of the petitioner, ultimately on realizing their mistakes, the respondents released the family pension to the petitioner in the year 2015, but with prospective effect.

Counsel for the petitioner argues that once the petitioner has been held entitled to the family pension, the same should be released from the date when his father unfortunately died on 3.01.2010 and not from the date when the respondents realized their mistake. Prayer of the petitioner is for directing the respondents to release the family pension from 03.01.2010 onwards 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 24.05.2018 (Annexure P-3), 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 24.05.2018 (Annexure P-3) 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 him within a period of three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 16, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No