

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 33397 of 2019

Date of decision : 18.11.2019

Krishna Devi

....Petitioner

Versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sartaj Singh Thakur, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that the late husband of the petitioner was initially serving in the Indian Army from which he was getting pension and after his death, petitioner is getting a family pension from Army. Learned counsel argues that after the petitioner's husband was relieved from Army, he joined Punjab State Power Corporation Limited and after working in the said Corporation, he retired on 31.12.1998 (though no date has been mentioned in the body of the petition). The family pension in respect of the service rendered by the late husband of the petitioner with the respondent-Corporation was declined on the ground that two family pensions cannot be granted.

Learned counsel for the petitioner further argues that Government of India has allowed the grant of dual family pension vide Notification dated 15.09.2016 and the said Notification has already been adopted by the Government of Punjab and the benefit, which the petitioner is claiming, has already been extended to the similarly situated employees of the Corporation.

The prayer of the petitioner is for issuance of a direction to the respondent-Corporation to grant the petitioner the benefit of the family pension in respect of the service rendered by her late husband with the Corporation with effect from the date, the Notification issued by the Government of India was adopted by the Government of Punjab alongwith arrears.

Learned counsel for the petitioner states that the case of the petitioner is already under consideration and forwarded by the Additional Superintending Engineer, Punjab State Power Corporation Limited, Distribution Division, Mukerian to the Accounts Officer/Pension Audit of the Corporation at Patiala on 11.04.2019 but thereafter, no decision has been conveyed to the petitioner. The prayer of the petitioner is for issuance of a direction to the respondent-Corporation to decide the claim of the petitioner for the grant of family pension, which is already pending with the Accounts Officer/Pension Audit by passing an appropriate speaking order.

Keeping in view the facts and circumstances of this case, without opining on the merits of the case at this stage, a direction is issued to respondent No. 1 to pass appropriate orders on the claim of the petitioner with regard to the family pension in respect of the service rendered by her late husband with the respondent-Corporation within a period of three months from the date of receipt of certified copy of this order. In case, petitioner is found entitled for family pension, the relief be also released to her within a period of next one month alongwith arrears.

November 18, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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