

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 40644 of 2018
Date of Decision : 07.01.2019

Uma Sharma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Dhirinder Chopra, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the petitioner is seeking family pension after the death of Surinder Kumar Garcha, who retired as a Head Master on 31.12.1998.

As per the averments made in the writ petition, after the death of Smt. Benkshu alias Baksho, the first wife of Surinder Kumar Garcha, the said Surinder Kumar Garcha married petitioner and respondent No. 5 is the son born out of the said wedlock.

Learned counsel for the petitioner states that the petitioner is entitled for the family pension after the death of Surinder Kumar Garcha, which has not been given to the petitioner without any justifiable reason. Learned counsel for the petitioner further 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 19.11.2018 (Annexure P-5) which is pending consideration and the petitioner will be satisfied in case a time

bound direction is given to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass appropriate speaking order on the claim raised by the petitioner in the legal notice dated 19.11.2018 (Annexure P-5) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to her within a period of next three months.

The writ petition stands disposed of.

January 07, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*