

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.35761 of 2019

DATE OF DECISION:10.12.2019

Bikram Jit Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr.Gaurav Sharma, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The contention which is being raised on behalf of the petitioner is that he is disabled and is not in a position to earn his livelihood. Learned counsel for the petitioner argues that as the father of the petitioner was a government servant and he died on 13.02.2014, the petitioner be paid the family pension keeping in view the Rule 6.17(4) of the Punjab Civil Services Rules Vol.II, according to which, the son or the daughter of the government employee, who is physically crippled so as to render him or her unable to earn livelihood, will be entitled for the grant of family pension.

The prayer of the petitioner is for issuance of a direction to the respondents to grant the petitioner the family pension with effect from 13.02.2014 i.e. when father of the petitioner died alongwith arrears.

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 17.09.2019

(Annexure P-6), 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 respondent No.2 to decide the said legal notice dated 17.09.2019 (Annexure P-6) 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 17.09.2019 (Annexure P-6), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 17.09.2019 (Annexure P-6) 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 of the legal notice, the same should also be paid to him within three months thereafter.

December 10, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No
Whether reportable : Yes / No