

CWP No.3080 of 2020
Date of Decision: 05.02.2020

Urmila Devi

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Amit Kaith, Advocate for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

It is stated that vide order dated 19.01.2017 (Annexure P-1), the Court directed the respondents to consider the claim of the petitioner under the 2006 Rules, which was prevalent at the time when the son of the petitioner attained majority. Thereafter, LPA against the said order filed by the respondent/State was also dismissed. When nothing was granted to the petitioner, the petitioner was forced to file the contempt petition. The said contempt petition was finally disposed of in view of the affidavit filed by the Additional Director Administration alongwith some receipts showing payment of arrears and payment of interest. However, liberty was granted to the petitioner to avail the remedy in accordance with law for redressal of the grievance if still survived.

Accordingly, the petitioner filed another representation saying that he was entitled to the pay scale as prevalent in the year 2006, which the husband of petitioner would have received, in case he was alive and had retired on attaining the age of superannuation as per policy of 2006, whereas, the respondents have fixed his pay after taking into consideration the pay that the deceased was receiving at the time of death i.e. in the year 1996. The said representation has still not been decided. He also filed legal notice dated 23.12.2019 (Annexure P-6), which too is still not decided.

In view of the above, the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 23.12.2019 (Annexure P-6) as expeditiously as possible preferably within two months from the receipt of certified copy of this order and in case the petitioner is found entitled to the relief, the claim shall be granted forthwith otherwise a speaking order be passed.

(NIRMALJIT KAUR)
JUDGE

05.02.2020
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No