

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

123

CWP No. 6274 of 2020
Date of Decision:05.03.2020

Mangal Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajpal Singh Chauhan, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.(Oral)

Learned counsel for the petitioner argues that under the Punjab Civil Services Rules, which have been adopted by the respondent-Corporation, a son or a daughter, who is 100% disabled and is not capable of earning livelihood, crosses the age of 25 years, still he/she is entitled for the family pension. Learned counsel for the petitioner states that the petitioner is 100 % disabled and unable to earn livelihood and has no source of income as his father was retiree from the respondent-Corporation. After the death of his mother on 20.12.2018, who was receiving the family pension after the death of

the father of the petitioner, he became entitled for the release of the family pension.

Learned counsel further states that respondents have ignored the claim of the petitioner despite there being no impediment in releasing the family pension to the petitioner, but the same has not been released to the petitioner without any valid justification.

The prayer of the petitioner is for issuance of directions to the respondents to grant the petitioner the benefit of family pension along with arrears keeping in view the Rule 6.17 (4) (i) C of the Punjab Civil Service Rules, which has been adopted by the Corporation.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has submitted a representation dated 04.09.2019(Annexure P-9) with respondent No.2, which is still pending consideration with the respondent No.2 and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 2 to decide the representation and pass an appropriate speaking order.

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 respondent No.2 is directed to decide the representation dated 04.09.2019(Annexure P-9) 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, it is found that the petitioner is entitled to any monetary benefits after the decision of the said legal notice, the same

should also be paid to him within three months thereafter.

Present writ petition stands disposed of.

[HARSIMRAN SINGH SETHI]
JUDGE

March 05, 2020
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Whether speaking/reasoned	yes/no
Whether reportable?	yes/no