

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

**CWP No.13873-2020  
Date of decision : 08.09.2020**

**Darshan Singh**

**..... Petitioner**

**versus**

**State of Haryana and another**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

**\*\*\***

Present: Mr.Chander Shekhar Singhal, Advocate  
for the petitioner.

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**TEJINDER SINGH DHINDSA, J. (ORAL)**

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks a mandamus directing the appropriate authority under the State of Haryana to finalise his claim for pension under The Haryana State Shubhra Jyotsna Pension and other Facilities Scheme, 2018.

Counsel submits that the pension scheme had been notified by the Haryana Government, Chief Secretary's Office, General Administration Department (Protocol Branch) vide notification dated 16.04.2018 and was applicable w.e.f. 01.11.2017. Eligibility for grant of pension was defined under clause 3 of the notification and as per which the same was to be applicable to residents of Haryana who have actively participated during the period of emergency and faced imprisonment even for one day, under MISA Act, 1971 and/or Defence of India Act, 1962 and the Rules framed

thereunder.

Categoric contention raised by counsel is that the petitioner is eligible as per terms and conditions of the scheme and the application for grant of pension of the petitioner as also one Smt.Vidyawanti had been forwarded by the Deputy Commissioner, Kurukshetra to the Chief Secretary, Government of Haryana vide communicated dated 12.03.2020 (Annexure P-2). It is urged that till date no final decision has been taken.

Notice of motion .

Mr.Sharan Sethi, Addl.AG, Haryana accepts notice on behalf of respondents No.1 and 2 and waives service. Complete copy of the petition already stands furnished to him.

Perusal of the scheme at Annexure P-1 would reveal that as per clause 4(g) the Chief Secretary would be the competent authority to sanction the pension on the recommendation of the Deputy Commissioner concerned.

As per averments made in the petition duly supported by document at Annexure P-2 the application of the petitioner as also of another applicant stand duly forwarded by the Deputy Commissioner, Kurukshetra to the Chief Secretary, Government of Haryana.

Learned State counsel fairly submits that the application of the petitioner seeking pension under the scheme would be duly processed in accordance with law and as per terms and conditions contained in the scheme itself and a final decision in regard thereto would be taken positively within a period of four weeks from today and would be duly conveyed to the petitioner. Statement of learned State counsel is accepted.

No further directions are required to be passed.

Writ petition disposed of.

(TEJINDER SINGH DHINDSA)  
JUDGE

08.09.2020  
sunita

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |