

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

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CWP-20456-2020

Decided on : 01.12.2020

Ram Kishan & others

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Dilbag Singh, Advocate, for the petitioners.

Mr.R.K.S.Brar, Addl.A.G., Haryana.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India, by the petitioners, who are 47 in number, is for consideration of their claim under the Haryana State Shubhra Jyotsna Pension & other Facilities Scheme, 2018 (Annexure P-1). In the alternative, decision is sought on the legal notice dated 29.10.2020 (Annexure P-5) submitted to the respondents.

The claim of the petitioners is that they have actively participated during the emergency period i.e., 25.06.1975 to 21.03.1977 and were imprisoned for different days during the said period and therefore, are entitled for the said benefits. Reference is made to the sanction letter dated 01.08.2019 (Annexure P-2) whereby respondent No.1 had granted sanction for the said pension. It is submitted that some complaint was filed which was found false but inspite of that payments have not been made. Legal notice dated 29.10.2020 (Annexure P-5) has also been served to the respondents but of no avail.

Notice of motion.

Mr.Brar accepts notice on behalf of the respondents.

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Keeping in view the above, no useful purpose would be served by calling upon the respondents to file response as it would only delay the proceedings.

Accordingly, in view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the present writ petition is disposed of, by issuing the following directions:

The competent authority shall decide the legal notice dated 29.10.2020 (Annexure P-5) by passing a speaking order within a period of two months from the date of receipt of a certified copy of this order. In case the petitioners are found entitled for the said benefit of pension, same be disbursed to them, expeditiously, within a period of one month, thereafter. In case there is any legal impediment, in case of any of the petitioner(s), respondent No.2 shall pass a speaking order and communicate the same to the said petitioner(s), forthwith.

Writ petition stands disposed of.

DECEMBER 01, 2020

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No