

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.21548 of 2020
Date of decision 15.12.2020

Paramjit Kaur

...Petitioner

Versus

Punjab State Power Corporation Ltd and another

...Respondents

(Through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

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

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed by the petitioner seeking a direction to the respondents for the release of family pension in respect of the services rendered by her late husband namely, Manjit Singh. As per the averments made in the present writ petition Manjit Singh was initially married to one Gurmit Kaur, which marriage got dissolved by the decree of divorce on 13.06.2005 and, thereafter, Manjit Singh and the petitioner got married on 02.08.2005. The said Manjit Singh unfortunately died on 02.06.2011 and after his death, the petitioner being his legally wedded wife raised a claim for release of the benefits in respect of the services rendered by her late husband Manjit Singh.

Learned counsel for the petitioner argues that the respondents rather than extending the benefits in favour of the petitioner, had allowed

the same in favour of his first wife Gurmit Kaur, even though, on the date of death of Manjit Singh, Gurmit Kaur was not his legally wedded wife and rather the petitioner being a legally wedded wife of Manjit Singh is fully entitled for the benefits in respect of the services rendered by her late husband Manjit Singh. Prayer of the petitioner is for issuance of a direction to the respondents to consider her claim and release the benefits in respect of the services rendered by her late husband Manjit Singh.

Learned counsel for the petitioner submits that for the relief, which has been claimed in the present writ petition, the petitioner has already served a legal notice dated 29.03.2019 (Annexure P/2) with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.1 to decide the said legal notice.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.1 is directed to decide legal notice dated 29.03.2019 (Annexure P/2) served by the petitioner by passing an appropriate speaking order within a period of two months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

December 15, 2020

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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No