

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.1822 of 2021
Date of Decision:27.01.2021

KomalPetitioner

Versus

State of Haryana and others Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Devender Punia, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG., Haryana
for respondents no.1 and 2.

Mr. Ashish Yadav, Addl.AG., Haryana
for respondent no.3.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner claims to be entitled to family pension as well as grant of ex-gratia financial assistance to the tune of Rs.2.5 lakh on account of death of her father, who died during service on 28.10.2003.

Petitioner, it is submitted was born on 19.03.2004 after her father's death. However, her mother remarried after some time and the petitioner has been brought up by the paternal grandmother. Petitioner's mother in the year 2007 had appeared before the Court of competent jurisdiction at the time of issuance of succession certificate for service benefits of the father of the petitioner. It is submitted that benefit has not been afforded to the petitioner despite various representations by the petitioner's illiterate grandmother. It is further submitted that present is a recurring cause of action.

Notice of motion.

Ms. Upasana Dhawan, AAG., Haryana, accepts notice on behalf of respondents no.1 and 2.

Mr. Ashish Yadav, Addl.AG., Haryana accepts notice on behalf of respondent no.3. Advance copy of the petition stands served.

At this stage, learned counsel for the petitioner restricts his prayer for a direction to the competent authority to decide the petitioner's claim while treating the present writ petition to be a comprehensive representation, in a time bound manner.

Learned counsel for the respondents do not raise any serious objections thereto.

Keeping in view the facts and circumstances of the case and the limited prayer addressed, but without expressing any opinion on the merits of the case, competent authority is directed to treat the present writ petition as representation on behalf of the petitioner and consider the matter while passing a speaking order, within two months from the date of receipt of certified copy of this order and benefit, if any, be released to the petitioner within one month thereafter.

Writ petition is accordingly disposed of.

27.01.2021
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.