119 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-4213-2021(O&M)
Date of Decision:23.02.2021

Smt.Nirmal Kaur ..... Petitioner

versus

The State of Punjab and others ..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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Present: Mr. Vikram Bali, 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.

As per pleadings on record petitioner was initially appointed as a Teacher under the Punjab State Education Department on ad hoc basis and her services were regularised w.e.f. 23.02.1965. Petitioner retired on 30.04.1996 upon attaining the age of superannuation.

Petitioner is now aged about 82 years and the instant petition has been filed seeking a mandamus for issuance of directions to the respondent-authorities to release the benefit of revised pension along with all consequential benefits together with interest.

Counsel submits that a legal notice with regard to the claim raised in the instant petition had also been served upon the respondent-authorities. By way of response to the legal notice memo dated 01.01.2021 had been received from the Block Primary Education Officer, Hoshiarpur at Annexure P-4 and a perusal thereof would reveal that the revised pension

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case of the petitioner along with service book had been submitted to the Accountant General, Punjab, Chandgiarh and it is recited that on receipt of the sanction the benefits would be drawn.

It is submitted that the matter is still pending and an ex-employee of the Education Department in such an advance age is being denied the revised pension benefit without any justifiable basis.

Notice of motion.

Mr. Abhay Pal Singh Gill, learned AAG, Punjab accepts notice on behalf of respondents No.1 to 5.

A complete copy of the petition already stands furnished.

In view of the claim raised in the petition, this Court is of the view that there would be no necessity of seeking a written response on behalf of the State of Punjab.

Writ petition is disposed of with a direction to the respondent-authorities to finalise the revised pension case of the petitioner expeditiously and to take final decision in the matter within a period of eight weeks from the date of receipt of a certified copy of this order.

The final decision be conveyed to the petitioner and the financial benefits emanating therefrom would be released to her without any further delay.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

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Whether speaking/reasoned Yes/No
Whether Reportable Yes/No

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