

(In virtual Court)

CWP No.7898 of 2021 (O&M)

Date of Decision: 13.09.2021

Vikas Kumar and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Maninder Singh Saini, Advocate for the petitioners.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to release the family pension and other retiral benefits to the petitioners along with interest @ 12% per annum, to which the petitioners, being legal heirs of the deceased, are legally entitled, in view of the law declared by this Court in the matter of *Santosh Devi Versus State of Haryana and others, CWP No.7193 of 2004*, decided on 11.04.2005 and having being upheld by the Hon'ble Apex Court vide SLP No.20427 of 2005. With a further prayer to direct the respondents to grant the family pension from the date of death of deceased and other service benefits to the petitioners as per the aforesaid cited judgment. It is further prayed that the respondents be directed to decide the claim of the petitioners within a time bound frame.

At the outset, counsel for the petitioners submits that, at this stage, the petitioners would be satisfied if the respondents decide the claim of the petitioners, within a time bound frame.

Notice of motion.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana accepts notice on behalf of the respondents. Even counsel for the respondents is not averse to the expeditious disposal of the claim of the petitioners.

In view of the above, the present petition is disposed of with a direction to respondent No.2 to decide the claim of the petitioners; within a period of three months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioners are found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioners within a further period of three months thereafter.

(RAJBIR SEHRAWAT)
JUDGE

13.09.2021
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No