

CWP-8214-2021

Date of decision: 14.09.2021

Raksha Devi

.....Petitioner

versus

The State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Mukesh Arora, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Article 226 of the Constitution of India seeking prayer by way of writ of *certiorari* for quashing the order No.Pen-5/B-9/92-93/9513-16, dated 18.02.2014 (Annexure P-1) vide which the special family pension of the petitioner is wrongly fixed @ 12860/- w.e.f. 01.01.2006 despite the fact that the petitioner was entitled to get special family pension equivalent to the last pay drawn i.e. Rs.2,000/- by the petitioner at the time of death and the same was never correctly revised from time to time at the time of revision of pay scales and further by way of *mandamus* for issuance of directions to the

respondents to make payment of arrears of special family pension for the period from 01.01.1996 till date which was in consonance with the policy dated 14.09.1998 (Annexure P-3).

Notice of motion to the official respondents.

Mr. Shireesh Gupta, Senior DAG, Punjab puts in appearance and accepts notice on behalf of the respondents-State. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the legal notice dated 25.04.2019 (Annexure P-8) as representation moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioner without any delay, as per law.

The petition stands disposed off accordingly.

14.09.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No