

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

206

CWP-12554-2020

Date of decision: 25.02.2021

Manisha**.....Petitioner****versus****State of Punjab and others****....Respondents****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Amit Dhawan, Advocate for the petitioner.

Ms. Anju Arora, Additional AG, Punjab.

Mr. Harsimran Singh Jugait, Advocate for respondent No.2.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Manisha, stated to be aged approximately 66 years, has filed the present petition *inter alia* with a prayer for issuance of a writ in the nature of mandamus directing the respondents to release the family pension to the petitioner.

Records of the case show that vide order dated 24.08.2020, notice of motion was issued. On 02.12.2020, Co-ordinate Bench of this Court passed the following order:-

“Case is taken up for hearing through video conferencing.

Learned counsel for the State will get the matter finalized before the next date of hearing.

Adjourned to 15.12.2020.”

At this stage, learned counsel for respondent No.2 has forwarded a letter dated 12.01.2021 through whatsapp in the VC group, which is written by Indian Audit and Accounts Department, Office of Accountant General (A & E), Punjab & UT Chandigarh to the District Treasury Officer, Amritsar. Learned counsel submits that in fact the parent department first needs to give a clear cut certificate, based on which, a clear authorisation can be issued by respondent No.2 to the District Treasury Officer for onward release of the retiral benefits/family pension.

In view of the peculiar facts and circumstances as noticed above and the fact that on 02.11.2017, husband of the petitioner had expired, leaving behind the petitioner and two children, this Court deems it appropriate to dispose of the writ petition with the following directions:-

- (i) The petitioner would approach the office of District Treasury Officer, Amritsar within two weeks from the date of receipt of a certified copy from the office of respondent No.2.
- (ii) Respondent No.2 is directed to send an e-mail indicating all the requirements required from the office of respondent No.3 and also a performatory certificate that respondent No.3 is required to submit. The above said e-mail be sent within one week from the date of receipt of a certified copy of this order.
- (iii) On receipt of e-mail and on the visit of the petitioner, respondent No.3 shall ensure, within one day i.e. when the petitioner visits the office of respondent No.3 that all formalities as required by respondent No.2 through e-mail, are complied with.
- (iv) Learned State counsel is directed to issue appropriate instructions to the District Treasury Officer to ensure completion of all formalities including the correction in

name etc. by the office of District Treasury Officer and under the supervision of District Treasury Officer, within one day itself.

(v) After the receipt of the necessary certificate (performa) which would be sent by e-mail by respondent No.3, respondent No.2 shall release the clear authorisation certificate to the District Treasury Officer to release the family pension, within 2 weeks.

(vi) After completion of all formalities it is directed that the needful be done in accordance with law and the petitioner be released the entitled family pension/other retiral dues within two weeks therefrom.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

25.02.2021
anju rani

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