

*(In virtual Court)*CWP No.13877 of 2021 (O&M)
Date of Decision: 28.07.2021

Kamlesh Kaur

.....Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. B.S. Mittal, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to restore the 100% family pension to the petitioner along with arrears from 2014 till date with interest @ 12% as the respondents instead of restoring the full pension to the petitioner even stopped the 50% share of family pension to the petitioner in December 2020 illegally and arbitrarily. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the legal notice of the petitioner dated 02.06.2021 (Annexure P-2) by passing a well reasoned speaking order within a time bound frame.

At the outset, counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents take a conscious decision on the legal notice of the petitioner dated 02.06.2021 (Annexure P-2) and pass a speaking order thereon, 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 petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.2 to decide the legal notice of the petitioner dated 02.06.2021 (Annexure P-2) and take a conscious decision thereon by passing a speaking order; 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 petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of three months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

28.07.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No