

(In virtual Court)

CWP No.21694 of 2021 (O&M)

Date of Decision: 27.10.2021

Shakuntla

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Chanderhas Yadav, Advocate for the petitioner.

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 revise the family pension of the petitioner in accordance to the recommendations of 7th pay commission to the tune of Rs.9,000/- per month (minimum) as was directed by the Chief Secretary to Govt. of Haryana to all the Secretaries of the Department vide his letter dated 10.08.2017 (Annexure P-7) as the petitioner is still getting the family pension of Rs.1341/- per month. 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 11.11.2020 (Annexure P-8) 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 11.11.2020 (Annexure P-8) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Harish Rathee, Deputy 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 11.11.2020 (Annexure P-8) 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

27.10.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No