

115

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

CWP No. 22069 of 2021
Date of Decision: 01.11.2021

Fakir Chand

-Petitioner

Versus

State of Haryana and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Thakan, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Learned counsel for the petitioner contends that wife of the petitioner was working on the post of Mali-cum-balder. Her services were regularized vide order dated 05.01.2019 and thereafter, pay fixation was done. The regularization was done w.e.f. due date i.e. 01.02.1996 as she had completed 05 years of service as on 31.01.1996.

Wife of the petitioner died on 04.02.2016. Petitioner applied for grant of family pension. Office of Accountant General (A&E), Haryana issued PPO to the petitioner, but needful in the context of grant of family pension could not be done as the petitioner is getting old age pension.

Petitioner moved an application before respondent No.4 on 08.07.2021 for stopping his old age pension in order to get family pension, but the same has not been stopped so far.

Precisely for the grievance in question, petitioner has got issued legal notice dated 08.08.2021.

Notice of motion.

On the asking of the Court, Mr. Ashish Yadav, Addl. A.G., Haryana accepts notice on behalf of State of Haryana.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon response from the respondents at this stage, as no order prejudicial to the interest of any party is being passed.

This petition is disposed of with a direction to respondent No.4 to decide the legal notice of the petitioner dated 08.08.2021 in accordance with law preferably within a period of one month from the date of receipt of certified copy of this order.

01.11.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No