

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

234

CWP No.2092 of 2019

Date of decision: 10.11.2022

Hari Kumari

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. M.S. Yadav, Advocate for
Mr. Himanshu Puri, Advocate
for the petitioner.
Ms. Rishu Madan, AAG, Punjab.

Mr. Alok Mittal, Advocate
for respondent Nos. 2 to 4.

VIKAS SURI, J. (Oral)

The prayer in the present petition preferred under Article 226 of the Constitution of India is for issuance of an appropriate order or direction especially in the nature of mandamus directing the respondent to decide the representation dated 10.10.2018 (Annexure P-1) and for directing the official respondents to grant family pension to the petitioner under the Punjab Civil Services Rules (Family Pension).

Upon notice of motion, written statement has been filed on behalf of respondent Nos. 2, 3 and 4 i.e. the contesting respondents.

Learned counsel for the contesting respondents submits that the second prayer would be dependent on the decision of the first prayer i.e. seeking direction to decide the representation, which is not being contested. As such a joint request is made by learned counsel for the parties that this petition be disposed of with a direction to respondent No.3 /

10.10.2018 (Annexure P-1), in accordance with law.

Heard learned counsel for the parties.

In view of the aforesaid submissions and without expressing any opinion or going into the merits of the case, respondent No.3/Competent Authority is directed to consider and decide the representation dated 10.10.2018 (Annexure P-1), in accordance with law, by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be paid to him within a period of six weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

November 10, 2022
P. Bhatt

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