

CWP-6038-2022

Date of decision: - 24.03.2022

SURAJ KAUR

....Petitioner

Versus

STATE OF PUNJAB AND OTHER

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Arjun Dev, Advocate for
Mr. Vivek. K. Thakur, Advocate
for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed with a prayer that keeping in view the scarify of the late husband of the petitioner, the petitioner is entitled for extraordinary family pension and not the normal family pension. Learned counsel submits that the husband of the petitioner has scarified his life during the Indo-Pakistan War in 1965 and as the petitioner is illiterate, she never knew about her entitlement of extraordinary pension, therefore, she did not invoke her entitlement for the said purpose.

Learned counsel submits that the petitioner has issued a legal notice dated 12.07.2021 (Annexure P-8) to the respondents alongwith the copy of the Pension Payment Order wherein the last pay drawn by the deceased husband of the petitioner is mentioned and keeping in view of the said facts, the petitioner's claim for the grant of

extraordinary pension can be considered and decided by the respondents.

Learned counsel submits that the legal notice dated 12.07.2021(Annexure P-8) wherein the petitioner raised the same question before the respondent Authorities is still pending consideration with the respondents and petitioner will be satisfied at this stage in case, the time bound direction is given to the respondents to decide the same by passing appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, who is present in Court, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 12.07.2021 (Annexure P-8) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case, the present petition is disposed of with a direction to the respondent No.2 to pass an appropriate speaking order on the legal notice dated 12.07.2021 (Annexure P-8), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order. In case, the petitioner is found entitled for any benefit, the same be also released in her favour within a period of next four weeks of passing of the said order on her legal notice dated 12.07.2021 (Annexure P-8).

24.03.2022*Ali*

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No

