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

CWP-13106-2022

Date of Decision: 02.06.2022

Munni Devi

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajeev Godara, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the husband of petitioner had retired from the services of the respondent-Department on 30.06.2011, and thereafter he unfortunately died on 17.05.2011, but the petitioner's husband was not extended the benefit of pension by the respondents by then.

Learned counsel for the petitioner submits that the non-grant of pension to the late husband of petitioner has resulted in even non-grant of family pension to the petitioner, which actions of the respondents are causing prejudice to the petitioner, hence the respondents are liable to be directed to release the said pension of the late husband of petitioner, with effect from the date he had retired, i.e. from 30.06.2011 till the date of his death and thereafter to further grant the benefit of family pension to the petitioner, with effect from the date her husband had died, along with the arrears and interest on the delayed release of said benefits to her.

Learned counsel for the petitioner submits that the same

grievance has also been raised by the petitioner before the respondents by serving legal notice dated 05.07.2021 (Annexure P-3), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.2 to decide the legal notice dated 05.07.2021, by passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Navdeep Chhabra, DAG, Punjab, 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 05.07.2021 (Annexure P-3) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 05.07.2021 (Annexure P-3), this petition is disposed of with a direction to the respondent No.2 to pass an appropriate speaking order on the legal notice dated 05.07.2021 (Annexure P-3), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order.

02.06.2022*Apurva***(HARSIMRAN SINGH SETHI)****JUDGE**

1. Whether speaking/reasoned : Yes
2. Whether reportable : No