

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

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**CWP-14186-2022
Date of decision : 07.07.2022**

JASWINDER KAUR AND ANR

..... Petitioners

VERSUS

THE PUNJAB STATE POWER CORPORATION LTD AND ORS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Subhash Kumar, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioners argues that in the present case, despite being a sole claimant, the petitioner No.1 is only being paid 50% of the total family pension assessed despite the fact that she is entitled for 100% of the assessed family pension as the other claimants, in whose favour the 50% of the family pension was allowed, have become ineligible and their family pension has already been stopped by the Department.

Learned counsel further submits that keeping in view settled principle of law that the sole claimant is entitled for 100% of the family pension and no part of the family pension can be seized by the respondents-department, the petitioner No.1 is entitled for the release of 100% of the pension in respect of the service rendered by her late husband.

Learned counsel for the petitioner further argues that the claim as being raised in the present petition has already been raised by the

petitioners with the respondents vide representation dated 18.03.2022 (Annexure P-5) and the petitioners will be satisfied, at this stage, in case a direction is issued to respondents to decide the said representation in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Ms. Anju Sharma Kaushik, DAG, Punjab, accepts notice on behalf of respondents-State and raises no objection in deciding the representation dated 18.03.2022 (Annexure P-5) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner on 18.03.2022 (Annexure P-5), respondent No.3 is directed to decide the representation dated 18.03.2022 (Annexure P-5) by passing a speaking order within a period of three months from the receipt of copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

07.07.2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No