

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 15497 of 2022
Date of Decision: July 20, 2022

SHINDER KAUR

..... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Baljeet Singh Sidhu, Advocate,
for the petitioner.

Ms. Sunint Kaur, Assistant AG, Punjab

LISA GILL, J.

Learned counsel for the petitioner submits that petitioner's husband was initially appointed as a Class IV employee (Sweeper) on daily wages with respondent-Department on 27.08.1994 and his services were regularized on 01.01.2008. It is submitted that petitioner's husband unfortunately passed away on 19.10.2021 while he was in service. It is submitted that petitioner's husband was covered under the Old Pension Scheme and especially in view of the judgment of this High Court in CWP-2371-2010, titled as "*Harbans Lal Vs. State of Punjab and others*", decided on 31.08.2010. Petitioner, it is submitted, is entitled to family pension, which is not being released to her in an unjustified manner. In this respect legal notice dated 18.05.2022 (Annexure P-7) was served upon the respondents but to no avail.

At this stage, learned counsel for the petitioner restricts his prayer for a decision on the legal notice dated 18.05.2022 (Annexure P-7), in

a time bound manner.

Notice of motion.

Ms. Sunint Kaur, Asst. A.G., Punjab, accepts notice on behalf of the respondents. Advance copy of the writ petition stands served. Learned counsel for the State does not raise any serious objection to the limited prayer addressed.

Keeping in view the facts and circumstances of this case, but without any expression of opinion on the merits of the matter, this petition is disposed of with a direction to the competent authority to consider and decide legal notice dated 18.05.2022 (Annexure P-7), within a period of three months from receipt of certified copy of this order. Benefits, if any found entitled to the petitioner, be released within the next two months thereafter.

Petition is disposed of accordingly.

20.07.2022
Sunil

(Lisa Gill)
Judge

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