

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

(106)

CWP-17685-2021

Date of Decision : May 09, 2022

Balwinder Kaur

.. Petitioner

Versus

The Punjab State Power Corporation Ltd and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.S. Jaidka, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that in the present case, petitioner is the second wife of Tarsem Singh, who was working with the respondents and the marriage of the petitioner with said Tarsem Singh was solemnized after his first wife namely Iccha Devi died on 10.06.1989. Learned counsel for the petitioner submits that the petitioner is being paid family pension but the same has been given only 50% and 50% of the family pension has been ceased by the respondents on the ground that the same is only available to the family of the first wife of late Tarsem Singh, which is contrary to the settled principle of law settled in ***CWP No.20374 of 2017 with CWP No.16190 of 2019 titled as Jaspal Kaur and others versus State of Punjab and others, decided on 11.02.2020***, hence, the respondents are liable to be directed to pay 100% of the family pension to the sole claimant i.e. the petitioner from the date the husband of the petitioner unfortunately died i.e. on 25.06.2014.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by filing a representation dated 05.05.2020 (Annexure P-6) which is still pending consideration with the respondents and the petitioner will be satisfied at this stage, in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the representation dated 05.05.2020 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 05.05.2020 (Annexure P-6) within a period of eight weeks from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the representation, the same should also be paid to the petitioner within four weeks thereafter.

May 09, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No