

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

142

CWP-18202-2022

Date of Decision :22.08.2022

Babita

...Petitioner

Versus

**Director, Higher Education Haryana
and another**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikram Singh, Advocate for the petitioner.

* * *

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the late husband of the petitioner who had retired from the services of respondent No.2-Institution was being granted benefit of pension but only the period, for which, the contributory provident fund was deposited, has been taken into account. Learned counsel for the petitioner further argues that the petitioner has already deposited contribution to the tune of Rs.3,96,875/- in terms of letter dated 08.03.2021 (Annexure P/2) for counting the service for which the CPF management share was not paid earlier towards qualifying service for revising the pension. The said contribution was deposited as far back as on 10.06.2021 but even after expiry of more than one year, no benefit has been released to the petitioner which is causing prejudice to her. Prayer of the petitioner is for issuance of a direction to the respondent No.1 to refix the pension of the late husband of the petitioner and release the arrears to the petitioner forthwith.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 15.05.2022 (Annexure P/4) upon them, which is still pending consideration with the respondents and the petitioner will be satisfied in case a time bound direction is issued to the respondent No.1 to decide the said legal notice.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, who is present in the Court, accepts notice on behalf of respondents and raises no objection in deciding the legal notice dated 15.05.2022 (Annexure P/4) 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 in her legal notice, respondent No.1 is directed to decide the legal notice dated 15.05.2022 (Annexure P/4) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order. In case after the decision, it is found that petitioner is entitled for any relief, the same will be extended to her within a period of next four weeks.

Present writ petition stands disposed of.

August 22, 2022
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

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