

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(129)

CWP-18620-2022

Date of Decision : August 24, 2022

Krishna

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the husband of the petitioner retired from service on attaining the age of superannuation on 31.12.1999 thereafter, he was getting the pension but unfortunately, from the year 2013 onwards, the husband of the petitioner was not released the pension and unfortunately he died on 30.03.2015 after which date the petitioner was not released the family pension.

Learned counsel for the petitioner further submits that now the family pension of the petitioner has been released w.e.f. 31.03.2015 but, the pension for which the late husband of the petitioner was entitled while he was alive i.e since June 2013 till his death has not been released so far, hence, the respondents are under an obligation to release the arrears of his pension along with interest.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by

serving upon them a legal notice dated 02.03.2022 (Annexure P-5), 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 respondent No.2 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondent No.1. Mr. Ishwar Sethi, Advocate for Mr. Satyam Tandon, Advocate, who is also present in the Court, accepts notice on behalf of respondent No.2.

Learned counsel for respondent No.2 raises no objection in deciding the legal notice of the petitioner in a time bound manner 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 legal notice dated 02.03.2022 (Annexure P-5), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 02.03.2022 (Annexure P-5) 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 the monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within four weeks thereafter.

August 24, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No