

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

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**CWP no. 18349 of 2022
Date of Decision: 22.08.2022**

Bala Devi

.....Petitioner

Vs.

State of Haryana and other

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anil Sharma, Advocate,
for the petitioner.

Mr. Harish Nain, A.A.G., Haryana.

HARSIMRAN SINGH SETHI, . (ORAL)

Learned counsel for the petitioner submits that the family pension of the petitioner has been fixed by the respondents wrongly for the reason that the pension being received by the late husband of the petitioner was not revised after 01.01.2016, though, he was very much alive at the relevant time and was getting the pension.

Learned counsel submits that on non-revision of the pension of the late husband of the petitioner has resulted in grant of lesser family pension to the petitioner which is a recurring one and hence, the respondents are under obligation to revise the pension of the late husband of the petitioner w.e.f. 01.01.2016 and release its arrears and thereafter, recompute the family pension admissible to the petitioner accordingly and return the same with arrears.

Learned counsel submits that the grievance raised by the petitioner in the present petition, has also been raised by her with the respondent through legal notice dated 19.01.2022 (Annexure P-3), which is still pending before the authority and the petitioner would be satisfied in case a time bound direction is issued to the respondents to decide the representation by passing an appropriate order.

Notice of motion.

Mr. Harish Nain, A.A.G., Haryana, who is present in court accepts notice on behalf of the respondents.

Learned State counsel raises no objection to decide the legal notice Annexure P-3 dated 19.01.2022, in a time bound manner.

Keeping in view the above, without going into the merits of the case or opining anything in respect of the claim made by the petitioner in the legal notice 19.01.2022 Annexure P-3, the present petition is disposed of with a direction to respondent no.2 to decide the legal notice dated 19.01.2022 Annexure P-3, within a period of 8 weeks of the receipt of a certified copy of this order.

In case the petitioner is entitled to any relief, the same be extended to her within a further period of 2 weeks.

August 22, 2022
dharamvir

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No