

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

210

CWP-23658-2017

Date of decision: 23.11.2022

JAGWANTI

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Jasbir Mor, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of Certiorari for quashing the order dated 23.12.2016 (Annexure P-14) whereby dependent pension of Freedom Fighter and Ex-members of the Legislative Council Punjab (now Haryana) has been denied to the petitioner who is suffering from 70% permanent disability.

It has not been controverted that the rejection has been done in terms of provisions as enshrined under Section 7 A (1) of the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Act, 1975. No challenge has been raised to the aforesaid statutory provision. The impugned order passed is in accordance with the statute as it exists today.

Learned counsel appearing on behalf of the petitioner contends that the such statutory provision does not take into

consideration the mitigating circumstances and the dependency of Handicaped/physically advanced children and as such the said statutory provision needs to be challenged.

He thus seeks permission to withdraw the present petition so as to file an appropriate petition against the same cause of action.

Disposed of as withdrawn with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 23, 2022

Vishal sharma

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