

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107+234)

CM-6398-CWP-2022 in/and
CWP-624-2018
Date of Decision : July 06, 2022

Radha Rani

.. Petitioner

Versus

Punjab State Warehousing Corporation and another .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. H.C. Arora, Advocate, for the petitioner.

Mr. Karan Singla, Advocate, for the respondents.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-6398-CWP-2022

Present application has been filed for placing on record a copy of the minutes of the 86th meeting of the Board of Directors of respondent-Corporation as Annexure P-14.

Keeping in view the averments made in the application, the same is allowed and Annexure P-14 is permitted to be taken on record.

CWP-624-2018

In the present petition, the prayer of the petitioner is for the grant of family pension in respect of the service rendered by her late husband namely Tarlok Singh. The claim of the petitioner has been contested on the ground that Tarlok Singh never opted for the pension scheme which came into being w.e.f. 01.01.1996 and therefore, once Tarlok

Singh was not entitled for the grant of pensionary benefits, the question of grant of family pension to the petitioner after the death of her husband does not arise.

Learned counsel for the petitioner submits that the Board of Directors of the respondent-Corporation in their meeting held on 17.10.2000 gave the right to the legal heirs of the deceased employee also to apply for the pension scheme on certain conditions, hence, the petitioner intends to apply for the pension scheme under the said resolution and the respondents may kindly be directed to decide her claim expeditiously.

Keeping in view the above, the present petition is disposed of with a direction to the respondent-Corporation that in case, any application/representation is filed by the petitioner for adopting the pension scheme keeping in view the resolution of the Board of Directors dated 17.10.2000, a copy of which has been appended as Annexure P-14 with this petition, appropriate order on the prayer of the petitioner be passed within a period of two months of the receipt of the said application/representation.

In case, after the decision on the application/representation, the petitioner is found entitled for any relief, the same be also released to her within a period of next two months.

July 06, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No