

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

125

CWP-24125-2022

Date of Decision:16.11.2022

Deviki

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

**Present: Mr. Bhwnesh Lakhera, Advocate,
for the petitioner.**

Mr. Vivek Chauhan, Addl. A.G., Haryana.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents to release the old age pension and arrears etc. to which the petitioner claims to be entitled.

It has been averred by the petitioner in paragraph 2 of the instant writ petition that she is more than 85 years of age and thus she is a senior citizen. The pension was released to her in the year 2000 under the Haryana old age Pension Scheme and she has been continuously receiving the same still it was discontinued on 14.08.2017 by the respondent-Department.

During the course of arguments, learned counsel appearing on behalf of the petitioner contends that the petitioner is more than 90 years of

age and her son himself is more than 75 years of age. However, as per Memo of Parties and the age reflected in the Aadhaar Card, age of the petitioner is shown as 69 years.

Under the given circumstances, disputed questions of facts as regards the actual age of the petitioner arise. Such aspects cannot at this stage be gone into by this Court.

Learned counsel appearing on behalf of the petitioner contends that the petitioner has already approached respondent No.3-Social Welfare Officer, Old Deputy Commissioner Office, Model Town, Rewari vide representation dated 31.08.2021 (Annexure P-1) and the subsequent representation dated 22.09.2022 (Annexure P-3) to the Deputy Commissioner, Mini Secretariat, Rewari. He further contends that he would be satisfied at this juncture in case the respondent-authority is directed to look into the entire grievances espoused by the petitioner and to pass a reasoned and speaking order in a time bound manner.

Notice of motion.

Mr. Vivek Chauhan, Addl. A.G., Haryana appears and accepts notice on behalf of the respondents-State. He has no objection to the aforesaid request being allowed.

Accordingly, the present writ petition is disposed of with liberty to the petitioner to approach the concerned authorities within a period of four weeks from today.

Upon his appearing before respondent No.3-Social Welfare Officer, Old Deputy Commissioner Office, Model Town, Rewari, the decision on the representations (Annexures P-1 & P-3) shall be taken after granting an opportunity of hearing to the respective parties within a period

of three months thereafter.

Needless to mention here that this Court is not going into the claim being raised in the present writ petition and the said issues have to be determined by the concerned authorities after taking into consideration the totality of material available with them.

The instant civil writ petition is disposed of accordingly.

November 16 , 2022
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No