

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

**COCp-1251-2017 (O&M)
Date of decision: 27.02.2023**

Daya Kaur

...Petitioner

Versus

Rajiv Mehrishi

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A. K. Walia, Advocate
for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Gaurav Pathak, Advocate
for the respondent.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner is alleging violation of the order dated 17.05.2016, passed by this Court in CWP-14073-2011, vide which, respondent No. 1-UOI was directed to immediately consider the case of the petitioner for grant of pension and also pay the arrears of pension w.e.f. the date it was '**due**' to be paid to the petitioner.

Reply, filed by way of the affidavit of the Under Secretary, Ministry of Home Affairs, Govt. of India, is on record, wherein it is stated that under the Swatantrata Sainik Samman Pension Scheme, 1980, the petitioner has already been paid the arrears w.e.f. the date of order as the petitioner is the widow of a freedom fighter.

In view of the same, no case of any willful disobedience is made out against the respondent.

At this stage, learned counsel for the petitioner submits that this petition may be rendered infructuous with a liberty to the petitioner to avail her alternative remedy in accordance with law.

Dismissed as infructuous, with liberty to petitioner as prayed for.

Rule stands discharged.

27.02.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No