

122

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16048-2023

Date of Decision:05.12.2023

JAYA ANAND

..... Petitioner

Versus

UNION OF INDIA AND ORS.

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Deepak Nayar, Advocate
for the petitioner.

Mr. Amit Sharma, Senior Panel Counsel
for the respondents-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of Clause (O) of letter dated 27.12.2022 (Annexure P-4) whereby petitioner has been asked to furnish Legal Guardianship Deed as per Court of law.

2. Learned counsel for the respondents-UOI on instructions submits that husband of the petitioner being disabled person is entitled to family pension, however, it cannot be released to anyone unless and until he or she furnishes Legal Guardianship Deed. He further submits that petitioner is claiming herself to be wife of dependent of deceased employee, however, she has not furnished any documentary evidence to prove herself legal guardian. The respondent would not insist for deed issued by Court and case of the petitioner would be sympathetically processed if petitioner furnishes Guardianship Certificate issued by Local

Level Committee constituted under National Trust Act, 1999.

3. Faced with this, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to approach Local Level Committee or Civil Court to get certificate of guardianship. It is made clear that respondent would process application of the petitioner expeditiously as and when petitioner furnishes guardianship certificate.

4. Dismissed as withdrawn with aforesaid liberty.

(JAGMOHAN BANSAL)
JUDGE

05.12.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>