

CWP-14093-2023 (O&M)

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

**CWP-14093-2023 (O&M)
Date of Decision: 06.07.2023**

Ram Niranjana

... Petitioner

V/s.

Punjab State Power Corporation Limited and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Sandeep Godara, Advocate
for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioner seeking issuance of writ in the nature of mandamus for directing the respondents to grant special Family Pension as per Pension Circular No. 1/86 issued by the respondents vide memo No. 121572/2472/G-104 dated 24.06.1986 (annexure P-1) for the entire period of entitlement for the same and to make payments of arrears along with interest @ 12% till the date of payment.

Learned counsel for the petitioner submits that the father of the petitioner was employed with respondent No. 1 and was expired on 27.03.2003 due to electrocution while on duty. After the demise of

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petitioner's father, family pension was granted on 04.11.2019 to the mother of the petitioner without any interest for the period of delay of 17 years and the mother of the petitioner has expired on 07.12.2020. Hence the petitioner being handicapped, dependent and legal heir of his mother, is entitled to payment of all arrears. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the legal notice dated 03.03.2023 (Annexure P-4), which is still pending consideration with respondents and the petitioner will be satisfied at this stage, in case a direction is issued to respondent No. 3 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

At this stage, on asking of the Court, Mr. Pratap Singh Gill, Advocate, who is present in Court accepts notice on behalf of respondents and raises no objection in deciding the legal notice dated 03.03.2023 in a time bound manner by passing an appropriate speaking order.

I have heard learned counsel for the parties and have gone through the record of the case.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondents are directed to decide the legal notice dated 03.03.2023 (Annexure P-4) moved by the petitioner, by passing a speaking order within a period of four weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the legal notice, necessary

disbursement of funds shall be made to them within a period of two weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

06.07.2023
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Whether speaking/reasoned	Yes
Whether Reportable	Yes /No