

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CWP-16815-2023

Date of decision: 17.10.2023

PARAMJIT KAUR

.....Petitioner

VERSUS

PUNJAB STATE POWER CORPORATION LTD AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Randeep Singh Waraich, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondent-department to release the family pension of the petitioner which has been stopped w.e.f. March, 2022 in an arbitrary and illegal manner and without passing any speaking order.

Learned counsel for the petitioner contends that the husband of the petitioner was appointed as Assistant Lineman in office of respondent No.4 and expired while in service on 10.11.1977. He submits that the family pension of the petitioner has been stopped w.e.f. March, 2022 by the respondent-department without giving any justifiable reasons. Learned counsel further submits that petitioner has served a legal notice dated 21.05.2023 (Annexure P-2) to the respondents, which has not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

On asking of the Court, Sehajbir Singh, Advocate, who is present in the Court, accepts notice on behalf of the respondents and submits that respondent No.1 is the competent authority to take final decision and he does not object to the prayer made by learned counsel for the petitioner.

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 dated 21.05.2023 (Annexure P-2), respondent No.1 is directed to decide the legal notice, by passing a speaking order within a period of 8 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 abovesaid legal notice, necessary disbursement of funds shall be made to him within a period of 8 weeks thereafter.

The petition stands disposed of.

October 17, 2023
Nisha-II

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No