

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-24911-2023
Date of Decision: 06.11.2023

DEEPAK MAHAJAN

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Dinesh Mahajan, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the impugned order dated 07.03.2023 (Annexure P-4) vide which the representation of the petitioner marked by respondent No.2 to respondent No.3 and claim of the petitioner is rejected by respondent No.3, who is responsible to stop the handicap pension of the petitioner, who is sixty percent permanent disable.

Learned counsel for the petitioner *inter alia* contends that the petitioner being 60% disable, was getting pension from the State Government in his bank account. Earlier the pension was stopped w.e.f. 03.10.2017 to 27.08.2019, which was restored on submission of a representation. Again from April 2022 the pension had been stopped and was not paid. A representation dated 17.01.2023 was submitted to respondent No.2, who directed the respondent No.3 to investigate the matter and send a report. The petitioner was shocked to know the order passed by respondent No.3 dated 07.03.2023 whereby he holds that the particulars of the petitioner e.g. bank account, Aadhar Card, UID Card are wrong and not available with the department. He further submits that all the documents were already available with the respondents and after moving a complaint, they again started depositing the pension in the same account. He submits that allegations were raised against respondent No.3 in the representations and further enquiry was marked to him to decide the same. He

further submits that respondent No.3 is not supported to hold enquiry against himself. Hence, again on 02.06.2023, a representation (Annexure P-5) was submitted to respondent No.2 to get the matter enquired by some superior officer, however, no action has been taken thereupon till date.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab accepts notice and prays for some time to complete instructions.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2- Director, Department of Social Security, Development of Women and Children, Chandigarh is directed to look into the grievance of the petitioner and to decide the representation dated 02.06.2023 (Annexure P-5) in a time bound manner.

Learned State Counsel has no objection to the same.

Accordingly, with the consent of the parties and without commenting anything on the merits of the case, the present petition is hereby disposed of with a direction to respondent No.2 to consider and decide the representation dated 02.06.2023 (Annexure P-5) submitted by the petitioner by passing a reasoned and speaking order in a time bound manner and preferably within a period of three months from the date of receipt of certified copy of this order after affording the opportunity of hearing to the respective parties.

Disposed of accordingly.

NOVEMBER 06, 2023

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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No