

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

129

CWP No. 25032 -2023 (O&M)
Decided on : 06.11.2023

ANUP SHARMA

...PETITIONER

Versus

STATE OF HARYANA AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Sunny Singla, Advocate for the petitioner.

Mr. Pankaj Middha, Addl. A. G. Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. Learned counsel for the petitioner submits that the petitioner is a widow lady, who was dependent upon her father, namely, Sh. Gian Parkash Sharma, who was a pensioner and after the death of the father of the petitioner, being a dependent upon her father, she is entitled for the family pension keeping in view the provisions of Haryana Civil Services (Pension) Rules, 2016, but the said pension has not been extended to the petitioner only on the ground that the petitioner is 58 years of age.

2. Learned counsel for the petitioner argues that the age of the petitioner cannot be made as a ground to decline the benefit to the petitioner and the only factual aspect alongwith the rules governing in service was required to be seen was that as to whether at the time of death of the father of the petitioner, she was dependent upon her father or not.

3. Notice of motion.

4. Mr. Pankaj Middha, Addl. A. G. Haryana, who is present in Court, accepts notice on behalf of State of Haryana-respondents

5. Learned State counsel submits that in case the petitioner has any

grievance with regard to the family pension, she is free to file an appropriate representation with the respondent claiming the benefit of family pension and in case any such representation is filed by the petitioner, the same will be considered and decided in accordance with law within a period of eight weeks from the date of receipt of a copy of this order by passing appropriate speaking order and in case, after the decision, the petitioner is found entitled for any benefit, the same will be extended to her within a further period of four weeks..

6. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed, at this stage, with liberty to file an appropriate representation with respondents so as to raise all the claims as raised in the present petition.

7. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

06.11.2023

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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*