

2024:PHHC:031035
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

114 CWP-4223-2024 (O&M)
Date of decision: 05.03.2024

Sukhwinder Kaur ..Petitioner

Versus

State of Punjab and others ..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. PS Khurana, Advocate for the petitioner.

AMAN CHAUDHARY, J

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus directing the respondents to grant and release the family pension along with all other dues.
2. Learned counsel would contend that on account of the death of Amrinder Pal Singh, husband of the petitioner, who was working as ETT Teacher, on 02.10.2023, the family pension and other dues have not been released for which requisite documents have also been furnished. In this regard, a legal notice dated 11.01.2024 (Annexure P2), has been served upon the respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting her an opportunity of hearing.
3. Notice of motion.
4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab, accepts notice on behalf of the respondent-State and has no objection to the limited prayer made. He, on instructions, submits that since the husband of the

petitioner had not nominated anyone in his service record, therefore, there are certain documents that may be required from the petitioner.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to consider the legal notice dated 11.01.2024, Annexure P2 and decide the same taking note of the pleas raised and the documents to be substantiated by the petitioner, within a period of 4 weeks and if found entitled, necessary benefit be granted to her forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating her therewith.

05.03.2024

ashok

**(AMAN CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No