



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

201

CWP No.6443 of 2020 (O&M)
Date of decision: 18.10.2024

Darshana Devi

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

Mr. Brijeshwar Vashist, Advocate
for respondent No.4.

NAMIT KUMAR J. (Oral)

The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India, seeking a writ of mandamus, directing the respondents to grant family pension to her in terms of provision of the Punjab Municipal Employees Pension and General Provident Fund Rules, 1994 w.e.f. the date on which the husband of the petitioner died in harness i.e. 28.05.2011, along with all consequential benefits and interest @ 18% per annum on the delayed payment.

On 26.04.2024, the following order was passed:-

“Mr. Brijeshwar Vashist, Advocate has put in appearance on behalf of Respondent No.4 and filed Power of Attorney, which is taken on record, and he on instructions from Mr. Rajnish Kumar, Executive Officer, Municipal Council, Sri Muktsar Sahib, who is present in the Court, submits that all the dues of the petitioner have been released to her in time, alongwith interest.

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Let a specific affidavit in this regard be filed by Mr. Rajnish Kumar, Executive Officer, Municipal Council, Sri Muktsar Sahib, giving details of the principal amount, which was due to the petitioner and the interest part, which has been stated to be duly paid to her, alongwith declaration to the effect that all the dues of the petitioner alongwith interest have been released to her in time.

Adjourned to 09.07.2024.

Let the needful be done before the next date of hearing.”

There was no representation on behalf of the petitioner on 26.04.2024. Even on the next date of hearing i.e. 09.07.2024, still there was no representation on behalf of the petitioner and the following order was passed:-

“There is no representation on behalf of the petitioner. Same was the position on the previous date of hearing i.e. 26.04.2024.

In the interest of justice, adjourned to 18.10.2024.

It is made clear that in case of non-appearance of the counsel for the petitioner on the next date of hearing, the case shall be disposed of in his absence.”

Today an adjournment slip has been circulated by learned counsel for the petitioner.

Learned counsel for respondent No.4 submits that all the dues of the petitioner have been released to her and the instant petition has been rendered infructuous.

Disposed of as having become infructuous.

(NAMIT KUMAR)
JUDGE

18.10.2024

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No