

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.6495 of 2024 (O&M)
Date of decision: 18.03.2024

Parminder Kaur
.....Petitioner
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Arjun Dev, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to consider and take a final decision on the Family Pension case of the petitioner forwarded vide letter dated 23.08.2022 (Annexure P-5) and further to make the payment of Family Pension in favour of the petitioner alongwith arrears and interest @ 12% per annum from the due date till its final realization in a time bound manner.
2. Learned counsel for the petitioner submits that the case of the petitioner has already been forwarded for grant of family pension by the Additional Superintending Engineer, PSPCL, Division Dasuya to the Chief Accounts Officer/Pension Audit-1, PSPCL, Patiala, vide letter dated 23.08.2022 (Annexure P-5), however, despite a lapse of more than 01 year and 06 months, the family pension has not been granted to the petitioner. He submits that the petitioner shall represent the competent authority for redressal of her grievance by submitting a justice demand

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notice within a period of 02 weeks from today and the same shall be considered by the competent authority in a time bound manner.

3. Notice of motion.
4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondent No.1 and has no objection to the innocuous prayer made by learned counsel for the petitioner.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, the present petition is disposed of with liberty to the petitioner to serve a justice demand notice, within the aforesaid period, and the same shall be considered and final decision thereon be taken by respondent No.2, within a period of 02 months, from the date of its receipt. In case, the petitioner is found entitled, her claim be released within a period of 04 weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioner merit rejection, the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioner within the time as stipulated hereinabove.
7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

18.03.2024
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No