

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

225

CWP-7366-2020 (O&M)

Date of Decision : 16.01.2024

GURBACHAN SINGH

..... PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Rajinder Ghai, Advocate
for the petitioner.

Mr. Deepanjay Sharma, DAG, Punjab.

Mr. I.S.Sidhu, Advocate
for respondent No.4.

JAGMOHAN BANSAL, J. (Oral)

1. On 04.09.2023, following order was passed:-

“The petitioner who is father of the deceased employee claims family pension, which had already been granted to widow of the deceased employee, as the widow has since re-married.

As a matter of fact, the petitioner has been granted family pension w.e.f. 2017 though his daughter-in-law i.e. the widow of the deceased employee had remarried in the year 2012. It is thus, for the said period i.e. between 2012 to 2017 that the pension is being claimed.

This Court vide order dated 15.05.2020 had directed the State to take a conscious

decision in the matter but no decision seems to have been taken till date. Again vide order dated 04.04.2022, this Court had adjourned the matter on request of the State while passing a strict order.

Learned State counsel has however, again requested for an adjournment while pointing out that the Office of Commissioner of Police, City, Amritsar had already written to the Department of Finance vide letter dated 21.08.2020 in the matter but no response has been received till date.

Respondent No.1-through Secretary, Department of Finance is directed to consider the matter and to take necessary steps as warranted under law particularly while bearing in mind the ratio of judgment dated 04.04.2022 passed by this Court in CWP-20393-2016 titled as Swaran Kaur Vs. State of Punjab and others.

Since, this Court finds that despite repeated directions being issued since the last three years, necessary steps are not being taken, therefore in case it is found that there is any laxity in taking necessary steps, this Court may be constrained to pass strict orders.

List again on 07.11.2023.

Copy of this order be furnished to the State counsel who is directed to convey the same to the quarter concerned.”

2. Mr. Deepanjay Sharma, DAG, on instructions from Rajinder Pal, ASI, submits that competent authority has referred the matter to Accountant General (A&E), Punjab to calculate and release claim of the petitioner.

3.

Mr. Rajender Ghai, counsel for petitioner submits that office of Accountant General (A&E), Punjab may be directed to do the needful in a time bound manner because petitioner is a 84 years old man.
4.

In the wake of statements of both sides, the petition stands disposed of. Respondent No.4-Accountant General (A & E), Punjab would complete the exercise of calculation of arrears of petitioner within 3 months from today and thereafter release.
5.

Pending application, if any, shall also stands disposed of.

16.01.2024
anju

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>