



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

108

CWP-15790-2024 (O&M)
Date of decision: 12.07.2024

Kiran Bala

....Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Rakesh Bakshi and Mr. Piyush Sharma, Advocates
for the petitioner

AMAN CHAUDHARY. J. (ORAL)

1. The present petition has been filed for directing the respondents to give full family pension to the petitioner as other sharers/claimants of family pension are no more eligible.
2. Learned counsel for the petitioner submits that the respondents have not released full pension to which she is entitled on account of the fact that there are no other claimants of family pension, the son having been attained majority and the daughter is married. A representation though was responded by the Office of the Accountant General vide letter dated 22.04.2024, Annexure P-6, however, records incorrect facts inasmuch as the family pension scheme is not applicable to her, she being the only widow and the deceased employee had married her, after the death of his 1st wife. Even otherwise, the competent authority-respondent No.2 is to take a decision with regard to the claim of the petitioner, to whom the representation dated 22.03.2024, Annexure P-5 was addressed, 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 respondent No.2 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. Harish Nain, AAG Haryana accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to respondent No.2 to decide the representation dated 22.03.2024 expeditiously and preferably within a period of 4 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to her and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

12.07.2024
M.Kamra

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No