

2024:PHHC:101553



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

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CWP-18847-2024

Date of Decision: 07.08.2024

KAMLA DEVI

... Petitioner

VERSUS

UNION OF INDIA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. C.L. Singhal, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The petitioner has approached this Court for seeking release of pension under the scheme of Freedom Fighter Samman Pension, as the father of petitioner namely Shri Hari Singh was a freedom fighter, alongwith all consequential benefits.

After arguing at some length, learned counsel for the petitioner submits that with regard to her grievance, the petitioner has submitted various representations followed by a legal notice dated 15.07.2024 (Annexure P-3) but the respondents have not taken any action upon the said representation.

Notice of motion.

Ms. Saigeeta Srivastava, Advocate appearing in person on behalf of Mr. S.P. Jain, Addl. Solicitor General of India (present through video conferencing) accepts notice on behalf of respondent No.1; whereas Mr. Vivek Saini, Addl. A.G., Haryana accepts notice on behalf of respondents No.2 and 3.

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They pray for some time to complete their instructions and file response, if so advised.

Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case the Competent Authority under respondent No.1-Union of India is directed to consider and decide the legal notice dated 15.07.2024 (Annexure P-3) served by the petitioner, by passing a speaking order in a time bound manner.

Learned Additional Solicitor General of India has no objection to the request made by learned counsel for the petitioner.

Accordingly, in view of the above; with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.1-Union of India through its Competent Authority to consider and decide the legal notice dated 15.07.2024 (Annexure P-3) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of six months of the receipt of certified copy of this order.

Needless to mention that upon considering the said legal notice, if the claim of the petitioner is found to be genuine and admissible in accordance with law, the same shall be released in favour of the petitioner forthwith alongwith all consequential benefits.

Petition stands disposed of accordingly.

AUGUST 07, 2024*rajender***(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No