

2024:PHHC:143492



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

121

CWP-28997-2024 (O&M).
Date of Decision: 05.11.2024.

KULJINDER KAUR

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

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

Present: Ms. Divya Sharma, Advocate, (Legal-aid-counsel)
for the petitioner.

Mr. Aditya Sharda, DAG, Punjab assisted by
Mr. Satnam Singh, Senior Assistant,
C/O District Social Security Officer, Patiala.

VINOD S. BHARDWAJ, J. (ORAL)

The petitioner has approached this Court for seeking compensation for the unjustified and illegal stoppage of widow's social security pension.

2 Learned legal-aid-counsel appearing for the petitioner has apprised this Court that late Sh. Kuldeep Singh husband of the petitioner passed away on 03.09.2015. Following the unfortunate incident, an application form for the grant of widow's social security pension was

2024:PHHC:143492



applied for. Despite completing all the procedural requirements and submissions of necessary documents, her pension was unjustifiably delayed for three years and after much effort, it was initiated on 15.11.2018. For undisclosed reasons, the pension was arbitrarily stopped on 14.03.2022 (monthly Rs.1500/- per month) without any prior notice or explanation. The petitioner had to approach the authorities espousing the grievance regarding the unwanted, unlawful and arbitrary stoppage of widow's social security pension despite fulfilling all the eligibility conditions for grant of such financial assistance whereupon the respondents admitted their mistake about pension having been stopped wrongly. The arrears to the tune of Rs.43,500/- were already released on 16.08.2024. The pension is continuing since then without any delay. The petitioner is now seeking compensation for the harassment extended to her and the arbitrary stoppage of the pensionary benefits to her.

3 Notice of motion.

4 Mr. Aditya Sharda, DAG, Punjab, who is present in the Court accepts notice on behalf of the respondents. He does not dispute that the pension had been discontinued due to certain oversight/lapses on the part of the office. He submits that the same has already been restored and the entire arrears stand cleared. He further submits that pension was only meagre i.e. @ Rs.1500/- per month and that the total amount having already been paid, it would be a small cause for which the High Court should not intervene.

2024:PHHC:143492



5 Learned legal-aid-counsel, however, contends that taking into consideration the agony suffered by the petitioner, some compensation mechanism be evolved so as to satisfy the petitioner.

6 Without commenting on the merits of the present case and taking into consideration the totality of the circumstances, I deem it appropriate to dispose of the present writ petition with a direction to the respondents to release the interest @ 6% per annum for the period during which the pension of the petitioner was not disbursed, w.e.f. the date of its accrual till August 2024 when it was released along with a litigation expense to the tune of Rs.15,000/-. Let the above said amount be calculated and released in favour of the petitioner within a period of 08 weeks from the receipt of a certified copy of this order.

7 It is made clear that in case the amount is not paid within a period of 08 weeks from the date of receipt of a certified copy of this order, the liability of the interest as well as the litigation expenses may be recovered from the officer who is not in default for non-release of the dues.

November 05, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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