



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(132)

CWP No. 30947 of 2024

Date of Decision : 18.11.2024

Gurmail Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Baljeet Singh Sidhu, Advocate for the petitioner.

Mr. Arun Gupta, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that the husband of the petitioner retired from service on 29.02.2012 after which he was getting pension under the Old Pension Scheme and keeping in view the 6th Punjab Pay Commission, the pension of the retirees has been revised from 01.01.2016 but the said benefit was not extended to the husband of the petitioner and unfortunately, the husband of the petitioner died on 27.05.2021 after which, petitioner has been given family pension but the same is not according to the entitlement of the petitioner keeping in view the revised pension, which should have been fixed in accordance with the revised pension of the late husband of the petitioner, hence, the respondents are liable to be directed to first revise the pension of the late husband of the petitioner from 01.01.2016 and thereafter, grant the petitioner the entitled family pension on the basis of the said revised pension.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 03.10.2024 (Annexure



P-5) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Arun Gupta, Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 03.10.2024 (Annexure P-5) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed and the said order will be duly conveyed to the petitioner.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

November 18, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No