

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

111

CWP-527-2024

Date of Decision :11.01.2024

Murti Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ravi Malik, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner submits that the husband of the petitioner, who was working with the respondent-department unfortunately died while in service on 09.06.1972 and by the said date, he already had 02 years of service to his credit. Learned counsel for the petitioner further submits that under the pension scheme of 1964, which was in operation at that relevant point of time, only one year service was required to get the benefit of family pension and the petitioner fulfilled all the requisites for the grant of said benefit but no such benefit of family pension was granted to the petitioner,

2. Learned counsel for the petitioner submits that the petitioner is an illiterate lady and does not know the niceties of rules governing the service and now she has been made aware of the fact that she was entitled for the grant of benefit of family pension under the pension scheme of 1964 hence, the petitioner is claiming the said benefit and prays that the respondents may kindly be directed to grant the petitioner benefit of family

pension on account of death of her husband along with arrears and interest.

3. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 16.03.2023 (Annexure P/7), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

4. Notice of motion.

5. Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that in case the legal notice dated 16.03.2023 (Annexure P/7) has been received from the petitioner and is still pending consideration with the respondents, the same will be decided by the respondents in accordance with law and an appropriate order will be passed within a period of 08 weeks from the date of receipt of copy of this order.

6. It may be noticed that as the pension is a recurring cause, the legal notice dated 16.03.2023 (Annexure P/7) shall not be rejected only on the ground that the petitioner had approached the respondents after a considerable delay.

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

8. Ordered accordingly.

January 11, 2024

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No