



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

119

CWP No.34095 of 2024
Date of decision: 17.12.2024

Surisha Kumari

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondent – authorities to release the family pension as per Family Pension Scheme, 1964 (Annexure P-13) in favour of the petitioner, being the widow and in the capacity of legal heir of deceased husband namely Sh. Tarsem Kumar, who has served the respondent – Department for approximately thirty seven years and retired as Junior Engineer (JE) and being a widow and legal heir of the above stated deceased falls under the definition of “Family” and entitled for family pension as per Family Pension Scheme, 1964. Further prayer has been made to direct the respondents to decide the legal notice dated 22.09.2024 (Annexure P-15) served by the petitioner upon the respondent – authorities and to decide/pass a speaking order in a time bound manner and to clear the arrears which is



pending towards the respondent – Department from the date of death of hear husband i.e. 17.01.2021 @ 12% per annum. Lastly, it is prayed that the respondent – Department be directed to pay legal expenses which the petitioner incurred to get her right/family pension and compensation to the present petitioner for mental harassment caused to the petitioner from the action of the respondent – Department.

2. Learned counsel for the petitioner submits that for claiming the aforesaid relief, the petitioner has submitted a legal notice dated 22.09.2024 (Annexure P-15) and at this stage, the petitioner would be satisfied, if the said legal notice is decided by passing a speaking order within a time bound frame.

3. Notice of motion.

4. Mr. Teevar Sharma, AAG, Punjab, accepts notice on behalf of respondent No.1 and on the asking of the Court, Mr. Rajesh Sehgal, Advocate, accepts notice on behalf of respondents No.2 to 4 and have no objection to the innocuous prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.2 to consider and decide the legal notice dated 22.09.2024 (Annexure P-15), submitted by the petitioner expeditiously, by passing a speaking order, preferably within a period of three months from the date of receipt of



certified copy of this order. Necessary benefits, if any, found due to the petitioner shall be released expeditiously preferably within a period of four weeks thereafter.

(NAMIT KUMAR)
JUDGE

17.12.2024
yakub

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