

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

DATE OF DECISION: 31.8.2010

Smt.Sarla Devi

...Petitioner

VERSUS

State of Haryana & Others

...Respondents

CORAM

HON'BLE MR.JUSTICE PERMOD KOHLI

PRESENT: Mr.KL Dhingra, Advocate for the petitioner

Permod Kohli, J. (Oral)

Notice of motion.

Mr.Mohnish Sharma, Advocate appearing for Mr.Narinder Hooda, Advocate who is present in Court has been asked to accept notice on behalf of the respondents. Keeping in view the prayer made and with the consent of the counsel, this petition is disposed of at motion stage.

The husband of the petitioner, Shri Daya Nand was working as Assistant Lineman with the Haryana Electricity Board (now UHBVN). He died on 17.10.1980. After the death, the petitioner being the widow was granted family pension. It is alleged that the family pension was, however, stopped w.e.f. March 1987. The petitioner seems to have realised her right

to pension on the basis of a judgment dated 19.8.2003 passed by this court (Annexure P-2) and made a representation dated 19.7.2008. The aforesaid representation was followed by another representation dated 8.10.2009 (Annexure P-5). The petitioner relies upon two judgments of this Court (Annexures P-1 and P-2). Learned counsel for the petitioner submits that he would be satisfied if the respondents are directed to consider the representations and take a decision thereon.

In view of the above, this petition is disposed of with a direction to respondent no.2 to take a decision on the representations (Annexures P-4 and P-5), in the light of the judgments (Annexures P-1 and P-2) within a period of three months from the date a certified copy of this order is furnished to the competent authority. Needless to say, in the event the claim of the petitioner is to be rejected, it shall be by a reasoned and speaking order.

(PERMOD KOHLI)
JUDGE

31.8.2010
MFK