

Smt. Amar Kanwar Vs. State

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Court : Rajasthan

Decided On : Aug-20-1992

Reported in : 1992WLN(UC)146

Judge : R.S. Verma, J.

Appeal No. : S.B. Civil Writ Petition No. 4305 of 1992

Appellant : Smt. Amar Kanwar

Respondent : State

Judgement :

R.S. Verma, J.

1. Mr. Ojha is directed to accept notice. He accepts notices.
2. Heard the learned Counsel for the parties. The husband of the petitioner Shri Paras Mal Singhvi was an employee of the erstwhile Jodhpur state and retired on superannuation on 1st May, 1949. Paras Mal Singhvi was contributor to the Jodhpur Contributory Provident Fund. Shri Paras Mal expired on 22.6.92. By an order dated 1.11.89, the Government of Rajasthan has sanctioned ex-gratia payment of Rs. 150/- per month with effect from 1.11.89 to the alive widows of the Jodhpur Contributory Provident Fund retirees who are not entitled to family pension vide memorandum dated 2.7.91. The petitioner applied to the

respondents for grant of this ex-gratia pension. On 23.9.91, respondents have not acceded to her request and have slept over the matter. The petitioner prays that respondents be directed to pay to the petitioner ex-gratia payment of Rs. 150/- per month with effect from 1.11.89 with interest 18% per annum at the amount which became due, till the date same is paid to her and respondents may be further directed to continue to pay the same to the petitioner In future also.

3. Learned Counsel for the respondents Is unable to controvert the position that respondents should have acted expeditiously In the matter. Annex. 3 shows that Treasury Officer, Pali wrote to the Director, Pension Department, Rajasthan, Jaipur on 23.9.91 for considering the case of the petitioner for ex-gratia payment.

4. In my opinion, this is a fit case where respondents should be directed for making payment ex-gratia grant to the petitioner at the rate of Rs. 150/- per month with effect from 1.11.89 within a period of three months and continue to pay her amount as per rules. If payment is not made within a period of three months, then respondents shall also pay interest on the arrears at the rate of 18% per annum. The writ petition is disposed of accordingly at the admission stage itself.