

(2005) 05 RAJ CK 0085

In the Rajasthan High Court

Case No : Civil Writ Petition No. 6507 of 2004

Swaroopi Devi (Smt.)

APPELLANT

Vs

State of Raj. and Others

RESPONDENT

Date of Decision : 16-05-2005

Acts Referred:

Citation : (2005) 4 RLW 2849

Hon'ble Judges : Asok Parihar, J

Bench : Single Bench

Advocate : N.S. Chauhan, for the Appellant; H.V. Nandwana, Dy. G.A., for the Respondent

Judgement

Ashok Parihar, J.—There is no dispute that the petitioner been mother of deceased employee Late Sh. Anil Kumar Gupta, who was an employee of the State Government, is entitled for family pension. The file of the family pension appears to be shuttling between different Departments only on the point that whether the petitioner was dependent on the deceased employee or not. It has not been clarified as to how the necessary verifications, as required by the Department, could be clone at the official level. Petitioner has already stated in her application and in the affidavit as well that she was fully dependent on her son, the deceased Government employee. The attitude and the pathetic and mechanical approach of the officers in such matters is highly depreciable. Absolutely insensitive approach has been taken by the concerning authorities in the present case and the petitioner is shuttling from table to table for her legitimate claim. No satisfactory explanation has been submitted on behalf of the respondents as to why so much delay has been caused in making necessary payment to the petitioner. If there would have been any human approach and the interest been shown, all formalities could have been done at the earliest.

2. Having considered entire facts and circumstances, the writ petition is allowed. Respondents are directed to make the payment of family pension to the petitioner within 30 days from the date of receipt of certified copy of this order.

The entire arrears from the date due be paid within the above specific period. Petitioner shall also be entitled for interest @ 12% P.A. on the entire amount from the date due till it is actually paid. Because of the casual approach in the present matter, the respondents shall also pay a cost of Rs. 10,000/- to the petitioner, which will be paid alongwith the arrears, as ordered above.