

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 7594 of 2024
Decided on : 13.07.2026

Parul Saini
...Petitioner**Versus****State of Himachal Pradesh & others****..Respondents**

Coram**Hon'ble Mr. Justice Ajay Mohan Goel, Judge****Whether approved for reporting?¹**

For the petitioner : Mr. Ashok Kumar Verma, Advocate.**For the respondents : Mr. Pushpinder Jaswal, Additional Advocate General, for respondents No.1 to 4.****Mr. Devender K. Sharma, Advocate, for respondent No.5**

Ajay Mohan Goel, Judge (Oral)

By way of this writ petition, the petitioner has inter alia, prayed for the following reliefs:-

“(i). That the respondents be directed to release all the financial/ consequential benefits or late father Raj Kumar Saini of petitioner on her being sole legal heir.

(ii) That the respondents be directed to grant family pension to the petitioner being unmarried daughter of late Raj Kumar Saini as per CCS (Pension) Rules, 1972.”

2. When this case was listed on 08.07.2026, the following order was passed:-

¹Whether reporters of the local papers may be allowed to see the judgment?

“CMP No. 15195 of 2024.

Having heard learned counsel for the parties and in light of the averments made in the application, the same is allowed. Applicant is ordered to arrayed as respondent No.5 because this Court is of the considered view that any adjudication upon this petition shall adversely affect the rights of the applicant as both the petitioner and the applicant are staking their claims qua the monetary emoluments which are payable to the family of late Shri Raj Kumar Saini, who happens to be the father of the petitioner and son of the private respondent/applicant. Application stands disposed of. Amended memo of parties be filed by the newly added respondent by the next date of hearing.

CWP No. 7594 of 2024.

As prayed for, list for consideration on 13th July, 2026.”

3. Today, learned counsel for the petitioner submits that the petitioner shall be confining her relief only to the payment of family pension, as she is the only one, who is entitled to the family pension. Learned counsel submits that in terms of the legal heirs certificate, Annexure P-2, she is the only legal heir of deceased Sh. Raj Kumar Saini. He submits that the mother of the petitioner was legally divorced and she has no other brother or sister, who can claim the family pension.

4. In this backdrop, when this Court confronted learned counsel appearing for respondent No.5, who has been arrayed as a party respondent on 08.07.2026 and who happens to be the grand-father of the petitioner, learned counsel submitted that to this extent, the petition can be allowed, but as far as the other disputes are concerned, the petitioner

cannot seek any claim qua them in these proceedings. In counter thereto, learned counsel for the petitioner submitted that the petitioner be given the right to agitate the other issues before the appropriate Fora, more so, in the light of the fact that civil litigation is already pending between the parties before the learned Civil Judge.

5. Having heard learned counsel for the parties and in the light of the fact that there is none except the petitioner, in her capacity as the unmarried daughter of late Sh. Raj Kumar Saini, who can claim family pension, this petition is disposed of with the direction that the Department shall process the case of the petitioner for the grant of family pension and release the same to her, in accordance with law, as per the Rules if found eligible from due date.

6. As far as other disputes between the parties are concerned, this Court is not adjudicating them and as prayed for, the parties shall be at liberty to agitate the same in the litigations, which already stand filed by them and which are pending before the Civil Courts. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

July 13, 2026 (meera)