

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 618 of 2016

Smt. Bimla Bai W/o Late Shri Ram Ratan Singh, Aged About 65 Years R/o Ward No. 17, Talab Par, Durga Chowk, Shakti Nagar, Durg, P.S. Mohan Nagar, Durg, District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home Affairs, Mahanadi Bhawan, New Mantralaya, New Raipur District Raipur Chhattisgarh
2. Director General Of Police, Police Headquarter Raipur, District Raipur Chhattisgarh
3. Inspector General Of Police Durg Range, District Durg Chhattisgarh
4. Superintendent Of Police Durg, Distirct Durg Chhattisgarh

---- Respondents

Shri KPS Gandhi, counsel for the petitioner/s.
Shri Gary Mukhopadhyaya, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/08/2016

The petitioner has filed this petition aggrieved by the order by which, claim of family pension has been rejected.

On petitioner's own showing, husband of the petitioner was dismissed from service. Once there is dismissal from service, no pension is payable under the provisions of M.P. (CG) Civil Services (Pension) Rules, 1976. Relevant provision of the aforesaid Rules is quoted as below -

“24. Forfeiture of service on dismissal or removal –

Dismissal or removal of a Government servant from a service or post automatically entails forfeiture of his past service.”

In view of above, when there is dismissal from service, pension is forfeited and where pension is not payable in view of dismissal from service, widow of the deceased employee who was dismissed from service is not entitled to family

pension. Therefore, there is no illegality in the impugned order.

The petition is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge