

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 16080 of 2016 (O/M)
Date of decision : 10.8.2016

Smt. Rajinder Kaur

..... Petitioner (s)

Versus

Punjab State Power Corporation Limited, Patiala, and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. N.K. Nagar, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

The case of the petitioner is that one Raghuvir Singh Grewal @ Ranbir Singh Grewal was working as SDO in PSEB (now succeeded by PSPCL). He was married to one Mohinder Kaur. Since said Mohinder Kaur did not bear any child and remained issueless till her death, therefore, said Raghuvir Singh Grewal @ Ranbir Singh Grewal contracted second marriage with the present petitioner during the lifetime of his first wife Mohinder Kaur. One son, namely, Gurbinder Singh Grewal was born on 19.11.1975 from the second marriage with petitioner. Raghuvir Singh Grewal @ Ranbir Singh Grewal also executed a Will in favour of the present petitioner and his son Gurbinder Singh Grewal, which was registered vide Serial No. 372, Bahi No. 3, Zilad No. 162 dated 11.9.1995 in the office of Tehsildar, Patiala. The said Reghuvir Singh Grewal @ Ranbir Singh Grewal retired from service on 31.5.1982. He died on 25.10.1996. The present petitioner kept on sending the representations to respondent-department. It is not

CWP No. 16080 of 2016 (O/M)

claimed that the deceased had nominated the present petitioner in his service record for receipt of the retiral benefits. The present petitioner has thus approached this Court in the year 2016 i.e. after 20 years of death of said Raghuvir Singh Grewal @ Ranbir Singh Grewal, claiming his pension and pensionary benefits.

Heard.

I am of the view that in the present case, the evidence is required to be led regarding the marriage of the present petitioner with said Raghuvir Singh Grewal @ Ranbir Singh Grewal, his nominations and proof of Will to establish her claim. Therefore, equally efficacious alternative remedy for claiming her right is civil suit. Therefore, the present writ petition is disposed of with liberty to the present petitioner to approach the Civil Court to establish the facts, which entitles her to claim the pensionary benefits.

(KULDIP SINGH)
JUDGE

10.8.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No