

(129)

RA-RS-74-C-2016 and
CM No.7781-C of 2016 in
RSA No.1378 of 2015

Gurjeet Kaur Vs. Manpreet Kaur and others

Present: Mr. Kapil Kakkar, Advocate for the applicant-appellant.

RA-RS-74-C-2016

Heard.

The present Review Application has been filed to recall the order dated 9.5.2016 passed in RSA No.1378 of 2015. Learned counsel for the review applicant submitted that while disposing of RSA No.1378 of 2015, this Court has not noticed that the Punjab Civil Services (Pension) Rules, 1955 provides that parents of the deceased employee are entitled to family pension and other benefits. It was further contended that under the Provisions of Hindu Succession Act, 1956, appellants inherited legal right.

Deceased employee is governed by the Central Civil Services (Pension) Rules, 1972. The said Rules were issued in exercise of the powers conferred by the proviso to Article 309 and clause (5) of Article 148 of the Constitution. Therefore, the provisions of the Punjab Civil Services (Pension) Rules, 1955 as well as the provisions of Hindu Succession Act, 1956 are not relevant and application to the case in hand. Thus, there is no error apparent on the face of the record so as to entertain the present Review Application.

Accordingly, the Review Application is dismissed.

CM No.7781-C of 2016

As the main review application is dismissed, consequently, the present application for staying the operation of order dated 9.5.2016 is also dismissed.

**(P.B. BAJANTHRI)
JUDGE**

July 8, 2016.

sandeep sethi