

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.14986 of 2011

Date of Decision : 18.04.2017

Kusham Devi

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. J.P.Dhull, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed for issuance of directions to the respondents to grant the family pension to the petitioner on account of death of her father namely Partap Singh (deceased) and mother Dhankaur being the widowed daughter w.e.f. 10.08.2010 and grant the arrears of pension.

On 10.12.2015 the following order was passed :-

“An affidavit dated 15.6.2015 indicates the details of the property owned by the petitioner. She has claimed that she has no source of income. She would thus be required to meet the contents of the affidavit, as the agricultural land and the plot and built up house owned by her would indicate sources of income.

Adjourned to 17.5.2016.”

Thereafter, on 17.05.2016 the following order was passed :-

“A perusal of the affidavit dated 04.05.2015 filed by the District Elementary Officer, Jind shows that the petitioner's husband Late Sh. Rajbir Singh has done military service and the petitioner is getting the family pension since 12.03.2003 after the death of her husband.

The petitioner shall file affidavit to clarify this fact.

Adjourned to 01.09.2016”

Learned counsel for the petitioner has accepted that she is getting the family pension on account of the death of her husband who was a defense personnel and that she has 13 kanals and 7 marlas of land in her name and her monthly income is Rs.3,500/- per month.

In the circumstances, in my opinion she can not be held entitled to family pension on account of her father's death on the ground that she is a widowed daughter.

Consequently the petition is dismissed.

Since the main case has been decided, the pending Civil Miscellaneous Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

18.04.2017
pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No