

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

**CWP No. 17181 of 2014
DECIDED ON: July 07, 2017**

KAMNA RANI @ ANMOL

.....PETITIONER...

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ankit Joshi, Advocate
for the petitioner.

Ms. Sudeepti Sharma, Additional Advocate General, Punjab.

Mr. Binderjit Singh, Advocate,
for respondent No.3.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of direction to respondents No.1 and 2 to release the service benefits of deceased-Mohinder Pal Singh, husband of the petitioner in her favour as well as in favour of respondent No.3-Veeran Wali, mother of the deceased, proportionately.

2. During arguments, it has emerged that deceased-Mohinder Pal Singh was previously married to Manpreet Kaur and during the subsistence of his marriage with Manpreet Kaur, he solemnized marriage with Rajwinder Kaur.

However, Mohinder Pal Singh got divorced from Rajwinder Kaur, and

thereafter, contracted marriage with Ms. Kamna Rani @ Anmol. Mohinder Pal Singh, who was posted as Head Constable at Bathinda lost his life in a vehicular accident on 05.03.2013. Subsequently, a dispute has arisen amongst the legal representatives of Mohinder Pal Singh with regard to his retiral benefits. Since, there is disputed question of facts with regard to the marriage of Head Constable Mohinder Pal Singh (since deceased) with Manpreet Kaur as well as that of Ms. Kamna Rani @ Anmol, the same is required to be decided by Civil Court and in the given circumstances, the instant writ petition is not legally maintainable.

3. Accordingly, the instant petition is dismissed. However, the parties are advised to approach the civil court for getting the redressal of their grievances.

July 07, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***