

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-25711-2013 (O&M)

Date of Decision:-10.11.2017.

Miss Aarti (Minor) and another

.....Petitioners

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Sandeep Kumar, Advocate for
Mr. Vikram Singh, Advocate for the petitioners.

Mr. Udit Garg, Advocate for
respondent Nos.1 and 2.

Mr. G.S. Wasu, Additional A.G. Haryana.

None for respondent No.4.

Mr. Sushil Bhardwaj, Advocate for respondent No.5.

P.B. BAJANTHRI, J. (Oral)

Petitioners are stated to be children of late Sh. Manphool Singh holder of PPO No. BSF – 18444. Admittedly, petitioners are children of second wife of deceased Manphool Singh. They are claiming certain monetary benefits. Respondents vide Annexure P-4 issued a communication stating that name of Smt. Shanti Devi has been incorporated in the PPO. Consequently, they have directed the concerned bank authority to release family pension in favour of Smt. Shanti Devi. The said communication is under challenge in the present petition. The petitioners'

claim is required to be examined by the competent authority with reference to the decision of the Hon'ble Supreme Court in ***Rameshwari Devi Vs. State of Bihar*** decided on 27.01.2000 wherein decision of the learned Single Judge to the extent that second wife's children are entitled to certain monetary benefits, has been upheld. In view of the Supreme Court decision, the concerned respondent is hereby directed to re-consider the petitioners' claim within a period of 8 weeks from the date of receipt of certified copy of this order. If the petitioners satisfy with the other conditions, necessary action be taken by the concerned respondent to release monetary benefits which were due to the petitioners within a period of 6 months from today.

Accordingly, petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

November 10, 2017.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.