

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

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**CWP No. 23061 of 2017
Date of decision : 4.9.2019**

Rani Devi Sharma

.....Petitioner

v.

State of Punjab and others

.....Respondents

CORAM:HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. S.S. Khaira, Advocate, for the petitioner

Ms. Simran Grewal, AAG, Punjab

Mr. C.S. Rana, Advocate, for respondent No. 4

RAJIV NARAIN RAINA, J.(ORAL)

This petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing respondents No.1 to 3 to pay 60% carry home pension along with pensionary benefits of respondent No.4 to the petitioner/wife.

The petitioner/wife in person and the respondent/husband through his brother Ashok Kumar Bawa, Advocate, are present in Court.

After they had been heard substantially, the parties are ad idem that respondent-Avtar Krishan will pay 50% of his pension to his daughter Anjali Bawa as the mother and daughter live together in Jammu.

The petitioner/wife has been heard in person in Court today and she submits that all her front teeth of upper jaw have been knocked out by the respondent/husband and she is on dentures. This has been the result of beatings by the respondent/husband.

Since the petitioner is a Punjab Government's pensioner and

voluntary retired Assistant Sub Inspector of Punjab Police, the respondent-State of Punjab is directed to deduct 50% of his pension from the month of September 2019 and transmit it directly in the name of Anjali Bawa through RTGS in a Saving Bank Account number, to be supplied by her to the Police Department. The Punjab Government will not depend on the rules and regulations to carry out the purpose of the orders and make payments under the compromise entered between the parties but in the name of the daughter.

In the first compromise in 2008, Avtar Krishan withdrew his divorce petition filed under Section 13 of Hindu Marriage Act, 1956 and compromised the case with his wife, the petitioner.

The order be complied with by the Punjab Government and the Accountant General (A & E) (Pensions), Punjab .

With these observations and directions, the petition is disposed of as settled as per compromise arrived at in Court today with share reduced by 10% from the previous settlement.

(RAJIV NARAIN RAINA)
JUDGE

4.9.2019

Ashwani

Speaking/Reasoned:	Yes/No
Reportable :	Yes/No