

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

CWP-7153-2016

Date of decision: - 17.10.2019

Sulochana

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vivek Khatri, Advocate
for the petitioner.

Mr. Charanjit Singh Bakhshi, Addl. A.G., Haryana.

Mr. Kuldeep Khandelwal, Advcoate
for respondent No.4.

HARSIMRAN SINGH SETHI, J. (ORAL)

Present writ petition involves a disputed question of fact that whether the petitioner or respondent No.4 is legally wedded wife of Sh. Ishwar Singh (since deceased) so as to entitle them for the release of the benefits in respect of service rendered by Sh. Ishwar Singh.

The said disputed question of fact cannot be decided in the present proceedings. Petitioner has a remedy to seek succession certificate after the death of Sh. Ishwar Singh and in case the petitioner submits any succession certificate in favour of her claim to the respondents, respondents will deal with the same in accordance with the

law and pass an appropriate order. Similarly, a liberty is also granted to respondent No.4 to prove her claim to be the successor of Sh. Ishwar Singh, being the wife, by producing the relevant succession certificate from the competent Court of Law in order to claim service benefits in respect of service rendered by Sh. Ishwar Singh.

As the present writ petition involves the disputed question of facts, the prayer, as made in the present writ petition, cannot be decided at this stage.

In view of the above, the present writ petition is disposed of with a liberty to the petitioner to avail her appropriate remedy to claim the relief as claimed in the present writ petition.

October 17, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No