

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

CWP-20546-2020

Date of decision: 03.12.2021

Mandeep Kaur

.....Petitioner

versus

The State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. L.S. Lakhanpal, Advocate
for the petitioner.

Ms. Simran Grewal, AAG, Punjab
for the official respondents-State.

FATEH DEEP SINGH, J.

The widowed petitioner-Mandeep Kaur of late Constable Mohan Lal has come up in this Civil Writ Petition under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to grant family pension to the petitioner's family along with interest at the rate of 18% per annum on the same. It is pleaded that the deceased-Mohan Lal was enrolled as SPO on 18.03.1994 and in view of his performance of duties was

absorbed in the Police Department and his services stood regularized on 18.05.2010. Constable-Mohan Lal died during the course of his service on 28.08.2017. The respondents in their response fairly accept these facts, so canvassed by the petitioner and claim that since contributory pension scheme was introduced with effect from 01.01.2004 and undertook that the respondents will grant the same to the petitioner's family.

Heard learned counsel of both the sides and perused the records.

Keeping in view that the respondents do not dispel the averments of the petitioner as far as facts of the case are concerned and even in their reply, the respondents claim that they have directed the department to treat the period of work charge service as qualified service for the purpose of pension and the deceased was entitled to contributory pension scheme with effect from the same came into force i.e. 01.01.2004. Thus, in light of this admitted stand of the respondents, the instant petition stands allowed and it is held that the deceased/constable-Mohan Lal is entitled to all service benefits from the date he was absorbed by the Department in the Punjab Police and would be entitled to all service benefits under the Rules, besides this, the petitioner shall be entitled to draw these benefits on behalf of her deceased husband, as per the

Rules, on which amounts, the respondents shall pay interest at the rate of 9% per annum from the date they became due till the regularization of the amounts.

The present petition stands disposed off accordingly.

03.12.2021
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No