

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

222

CWP-14307-2019

Date of Decision :29.04.2022

Sawpna

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Devender S. Punia, Advocate for the petitioner.

Mr. Narender Singh Behgal, AAG, Haryana.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present petition, after the death of the mother of the petitioner, the younger sister of the petitioner namely, Khushbu was being granted family pension and the said younger sister of the petitioner got married on 19.11.2018, after which, she became ineligible for the family pension and the petitioner, who is an elder in age from Khushbu and is also unmarried and is also not earning livelihood, is covered for the grant of family pension under Rule 10(B)(iv) of the Haryana Civil Services (Pension) Rules, 2016.

Learned counsel for the petitioner submits that the claim of the petitioner is liable to be considered under the said rule for the grant of family pension from the date the younger sister of the petitioner namely, Khushbu became ineligible.

Learned State counsel submits that in case, petitioner files an affidavit that she is unmarried as of now and is not earning livelihood, the prayer of the petitioner for the grant of family pension under the said rules

can be considered in a correct perspective.

Learned counsel for the petitioner submits that an affidavit to the said effect will be submitted by the petitioner to the respondent authority within a period of two weeks from today

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondents are directed that in case, the petitioner files an affidavit that as of now she is unmarried and is unemployed as well and was dependent upon her deceased mother at the time of her death, the claim of the petitioner for the grant of family pension be considered under the relevant provisions of law/Rules within a period of 08 weeks from the date of receipt of said affidavit and in case, the petitioner is found entitled for the relief, the same will be extended to her within a period of 04 weeks from the date of passing of the order.

It is made clear that in case the petitioner is aggrieved in any manner against the order passed by the respondents, she will be at liberty to avail an appropriate remedy for the redressal of her grievance.

Present writ petition stands disposed of.

April 29, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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