

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

Date of decision : 25.04.2022

1. CWP No.22403 of 2020

Baljit Singh

..... Petitioner

versus

State of Punjab and Ors.

..... Respondents

2. CWP No.18213 of 2020

Karamjit Kaur

..... Petitioner

versus

State of Punjab and Ors.

..... Respondents

CORAM : HON'BLE MR.JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Manu K. Bhandari, Advocate
for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

Mr. Sanjiv Gupta, Advocate for respondents No.4 and 5.

HARSIMRAN SINGH SETHI, J. (Oral)

CM No.5988 of 2022

The present application has been filed to place on record
replication to written statement filed by respondents Nos.4 and 5.

Application is allowed.

The replication accompanying the application is taken on
record subject to all just exceptions.

CWP No.22403 of 2020 and
CWP No.18213 of 2020

By this common order, the two petitions, detail of which
have been given in the heading are being disposed as both the petitions

are between the parties inter se and relates to the grant of benefits in respect of service rendered by Lal singh, who is the father of petitioner-Baljit Singh and husband of petitioner-Karamjeet Kaur as claimed in their respective petitions. The grievance which is being raised in the present petitions are that both the wife and the son of the deceased employee are claiming service benefits in respect of the service rendered by deceased Lal Singh. Son-Baljit Singh is also claiming compassionate appointment whereas, the wife of the deceased employee is in favour of grant of compassionate appointment to her daughter namely-Paramjeet kaur. The further prayer of the petitioner-Baljit Singh is that the Hindu Succession Act should apply to bifurcate service benefits by the department after the demise of Lal Singh between all the legal heirs.

During the hearing, the parties are agreed that let the department concerned decided the dispute with regard to the release of benefits in respect of the service rendered by Lal Singh as well as the factum, as to who out of the two children, is entitled for the grant of compassionate appointment.

Learned counsel for the State submits that the State will pass appropriate orders on the prayer of the petitioners, keeping in view the rules governing the service on the said aspect.

As the parties in these petitions are agreed that let the State decide their respective claims in accordance with the rules governing the service, the present petitions are disposed of with liberty to the respondent-department to pass appropriate order on the prayer of the petitioners by taking into consideration the rules governing the service of the deceased on the said aspect. It will be appreciated that a speaking

order is passed within a period of three months from the receipt of the copies of this order.

It is made clear that this Court is not expressing any opinion with respect to the claims being made by the petitioners, and in case after the order of the respondent-department upon the claim of the petitioners, any of the petitioner is aggrieved by the said order, they will be at liberty to avail the appropriate remedy for the redressal of their grievance, if any, before the appropriate forum.

The respondents will also decide the claim the petitioner- Karamjit Kaur, widow of Lal Singh, as to whether, she can retain the accomodation allotted to the deceased employee till her case for the family pension is finally decided by the respondents.

It is made clear that if any of the parties intend to file any representation to substantiate their claim, they will be at liberty to file a representation within a period of two weeks from today and the period of three months granted to the respondents to decide the issue will only start after the expiry of the said two weeks period.

**(HARSIMRAN SINGH SETHI)
JUDGE**

25.04.2022

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Whether speaking/reasoned	: Yes
Whether Reportable	: No