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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-39-2001 (O&M)
Date of Decision:19.07.2023

DALJEET KAUR

.....Petitioner

V/s.

STATE OF PUNJAB THROUGH ITS SECRETARY AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: None for the petitioner.

Mr. Vikas Arora, AAG, Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The petitioner is a wife of deceased-Assa Singh who way by of this Writ Petition is claiming family pension, gratuity, provident fund amount, consequential pensionary benefits etc. of her deceased husband who died on 31.07.1995 while in service with the Punjab Roadways.

2. The respondents have filed their reply that the husband of the deceased was appointed as a Driver on 05.12.1969, however, after 6 ½ years of service, he abandoned his job on 07.06.1976. The petitioner's husband filed a Civil Suit which was decreed in his favour. The State of Punjab filed an Appeal against the said order before the District and Sessions Judge, Gurdaspur but the same was also dismissed on 17.01.1991.

3. It is noticed that the regular second appeal bearing RSA-1287-1991 was filed before this Court and the same was disposed of on 06.10.2016.

4. In view of the aforesaid, the petitioner would be entitled to receive the consequential benefits of her deceased husband.

5. Accordingly, the Writ Petition is allowed. The respondents are directed to release all the consequential benefits which were due to her husband including pension and other retiral benefits, gratuity etc.

6. The arrears shall carry interest @ 9% per annum. This exercise shall be conducted and concluded within a period of 3 months from the date of receipt of certified copy of this order.

July 19, 2023

Ess Kay

[SANJEEV PRAKASH SHARMA]
JUDGE

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No