

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

108+258

CM-6873-2023 in/and
CWP-7238-2022 (O&M)
Decided on : 28.11.2023

SHEELA DEVI

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Samrat Malik, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

Ms. Swati Dayalan, Advocate
for respondent No. 5.

HARSIMRAN SINGH SETHI, J. (Oral)

CM-6873-2023

Prayer in the present application is for placing on record the short reply on behalf of respondent No. 5.

Allowed as prayed for.

CWP-7238-2022

Learned counsel for the parties are *ad idem* to the fact that the question of law raised in the present petition has already been answered by this Court while passing the order in CWP No. 20374 of 2017 titled as **'Jaspal Kaur and others vs. State of Punjab and others'**, decided on 11.02.2020 to the effect that in case, any of the legal heir of the deceased becomes disentitled for the grant of family pension, the said family pension will be transferred to the account of the other eligible legal heirs, who are getting the family pension and the said family pension will not stand ceased.

Learned counsel for the parties agree that Rules in State of Haryana are para-materia to the Rules in State of Punjab which has already

interpreted in Jaspal Kaur's Case (Supra) and hence, the issue raised in the present petition stands decided while passing order in Jaspal Kaur's Case (Supra).

Accordingly, the present petition stands disposed of in same terms and conditions as held in Jaspal Kaur's Case (Supra).

The respondents are directed to grant the benefit of ceased family pension alongwith the arrears to the petitioner from the date when the said family pension was ceased from the other ineligible family members within a period of two months from the date of receipt of certified copy of this order.

It is made clear that any order contrary passed by the department concerned, will not be given effect to while implementing the order passed herein.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

28.11.2023
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No