

CWP-13018-2021 (O&M)

-1-

2023:PHHC:096623

115+224

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-13018-2021 (O&M)

Date of Decision:28.07.2023

DARSHAN KAUR

..... Petitioner

*Versus*

UNION OF INDIA AND ORS

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr. Major Balbir Singh (retd.), Advocate  
for the petitioner.

Mr. Ankur Sharma, Senior Panel Counsel  
for the respondents.

\*\*\*\*

**JAGMOHAN BANSAL, J. (Oral)**

**CM-1793-CWP-2023**

Allowed as prayed for.

**CWP-13018-2021**

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking release of family pension.

2. The claim of the petitioner is that son of the petitioner who was enrolled in Central Reserve Police Force suffered injury in an ambush by extremists and passed away on 11.02.2003. Widow of deceased employee was granted liberalized pensionary award. Unfortunately, widow Harpreet Kaur also passed away on 04.03.2005, leaving behind two minor kids. As per applicable rules, the respondent released pension to daughter of the deceased employee. Daughter of the deceased employee got married in 2017, thus, pension came to be

released to son of the deceased employee. The son of the deceased employee attained age of 25 years on 27.07.2022. As son of the deceased employee completed age of 25 years on 27.07.2022, the petitioner being mother of the deceased employee is entitled to family pension.

3. The respondent in its reply has conceded that w.e.f 27.07.2022 petitioner would be considered for family pension subject to fulfillment of eligibility criteria.

4. Learned counsel for the respondents concedes that as per reply son of the deceased employee was entitled to pension till 27.07.2022 and thereafter petitioner is entitled to family pension subject to compliance of other conditions. The respondent has filed reply on 25.01.2023 and as per reply petitioner became entitled to pension w.e.f 28.07.2022. There is nothing on record disclosing action taken by respondents during July, 2022 to January, 2023.

5. In view of reply and statement of learned counsel for the respondents, the present petition stands dispose of with a direction to respondent to release pension expeditiously and preferably within 3 months from today.

6. Pending misc. application(s), if any, shall stand disposed of.

( JAGMOHAN BANSAL )  
JUDGE

28.07.2023  
*Ali*

|                           |               |
|---------------------------|---------------|
| Whether speaking/reasoned | Yes/No        |
| <i>Whether Reportable</i> | <i>Yes/No</i> |