

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

137

CWP-19689-2023

Date of Decision : 14.12.2023

Rajesh Devi

..... Petitioner

Versus

Union of India and others

..... Respondents

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

Present : Mr.Ved Parkash, Advocate  
for the petitioner.

Mr. Ramesh Chand Sharma, Sr.Panel Counsel  
for the respondents.

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

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking setting aside of orders dated 30.12.2022 (Annexure P-8) and 07.02.2023 (Annexure P-10) whereby her claim for grant of family pension has been rejected.

2. The petitioner is claiming herself 2<sup>nd</sup> wife of Som Dev who was working with respondent and passed away on 27.04.2020. The petitioner is claiming that there was no child from 1<sup>st</sup> marriage, thus, deceased employee solemnised 2<sup>nd</sup> marriage with the petitioner. All children of the deceased employee are from the 2<sup>nd</sup> marriage. The names of the children are duly recorded in the service record of the deceased employee, however, name of the petitioner as wife is not recorded.

3. Learned counsel for the respondents submits that respondent has no mean to verify whether the petitioner is a duly wedded 2<sup>nd</sup> wife of

the deceased employee, thus, she cannot be extended benefit of family pension. He further submits that in the absence of order passed by Civil Court or marriage certificate issued by the competent authority, the petitioner cannot be considered 2<sup>nd</sup> wife of the deceased employee.

4. Faced with this, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to submit marriage certificate or order of Civil Court in support of his contention.

5. Dismissed as withdrawn with liberty aforesaid.

6. It is made clear that if petitioner is able to prove her claim, the impugned orders would not come in her way.

14.12.2023  
anju

( JAGMOHAN BANSAL )  
JUDGE

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