

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129

CWP-25585-2023
Date of Decision: 15.11.2023

Jasmine alias Pinky and Another ...Petitioners

Versus

State of Punjab and Others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gurkirat Kaul, Advocate for the petitioners
Mr. Aman Dhir, DAG, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners, through instant petition under Articles 226 & 227 of the Constitution of India, are seeking directions to respondents to release family pension.

2. Petitioner No.1 is wife of deceased employee, namely, Walait Khan. Petitioner No.2 was born out of wedlock of petitioner No.1 and Walait Khan. The deceased employee was working with respondent department as Head Constable. He died in mysterious circumstances. FIR No.149 dated 28.03.2011 under Sections 306/34 of Indian Penal Code, 1860 at Police Station City Sangrur came to be registered against petitioner No.1 on account of suicide committed by her husband. During his lifetime, the deceased employee had performed two marriages. Petitioner No.1 was second wife of the deceased employee. The respondent formed an opinion that petitioner

would be entitled to 50% of family pension subject to decision of the Trial Court. The petitioner was acquitted in the criminal trial. The first wife and mother of the deceased employee have also passed away. The petitioners as well as another daughter of petitioner No.1 are claiming family pension.

3. Mr. Aman Dhir, learned State counsel, who on advance notice is present in Court on behalf of the respondents, asserts that claim of petitioners as well as another daughter of petitioner No.1 is under consideration and an appropriate order would be passed in due course.

4. Faced with this, learned counsel for the petitioner submits that respondents may be directed to decide claim of the parties in a time bound manner.

5. In the wake of statements of learned counsels for the parties, the present petition stands disposed of with a direction to the respondents to decide claim of the petitioners within three months from today.

(JAGMOHAN BANSAL)
JUDGE

15.11.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>