



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CWP-17267-1997 (O&M)  
Date of decision: 07.08.2024

Mukhtiar Kaur (since deceased)  
through her LRs and others

....Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

**Present:** Ms. Anamika Sheoran, Advocate for  
Mr. Vikas Singh, Advocate for the petitioners.

Mr. Teevar Sharma, AAG, Punjab.

Mr. Amit Singh Sethi, Advocate for respondent No.2.

**NAMIT KUMAR J. (Oral)**

1. The petitioners have filed the instant writ petition under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to release family pension along with arrears and interest @ 18% per annum to the petitioners by taking into consideration the service rendered by their respective husbands.

2. On the last date of hearing i.e. 08.04.2024, the following order was passed :-

*“Learned counsel for the petitioners submits that the present petition is squarely covered by the Division Bench judgment of this Court dated 09.12.2004 in CWP-13555-1994 (Annexure P-5) which has been upheld by the Hon'ble Supreme Court in **Civil Appeal No.4951 of 2009** titled as **The State of Punjab and Another Versus Mohinderjit Kaur (D) TH. L.R.**, decided on 17.08.2017 (Annexure P-6).*

*Learned State counsel seeks time to get instructions.*



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*On his request, adjourned to 07.08.2024.”*

3. Learned State counsel, on instructions from the department, has confirmed the abovesaid legal proposition.
4. In this view of the matter, the present petition is allowed in the same terms as in **CWP-13555-1994 titled as ‘Phoola Rani Vs. State of Punjab’** decided on 09.12.2004 which has been upheld by the Hon'ble Supreme Court in **Civil Appeal No.4951 of 2009** titled as **‘The State of Punjab and Another Versus Mohinderjit Kaur (D) TH. L.R’**, decided on 17.08.2017 and followed by this Court in **CWP No.28133 of 2019 titled as ‘Dalip Kaur and others Vs. State of Punjab and others’** and other connected cases decided on 14.11.2023.

(NAMIT KUMAR)  
JUDGE

07.08.2024  
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| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |