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

CWP-6614-2021

Date of Decision:20.01.2024

CHANCHAL KAUR

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. R.K.S. Brar, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to disburse/release retiral benefits including family pension.

2. The petitioner is widow of Amrik Singh who was working with respondent as Constable and passed away on 30.04.2019 in harness. The petitioner is second wife of the deceased employee. The first wife had got divorce from deceased employee. There are two children from the first marriage of deceased employee. The petitioner and children of first wife have entered into compromise with petitioner and as per that compromise, son from the first marriage of deceased employee has got appointment on compassionate ground and petitioner is entitled to family pension as well as other retiral benefits. The respondents No.1 to 3 have agreed to arrangement made by petitioner with other legal heirs of the deceased employee. The respondents No.2 and 3 has forwarded claim of

the petitioner to respondent No.4, however, respondent No.4 has not cleared file of the petitioner because there are minor objections.

3. Learned State counsel submits that respondents No.1 to 3 has no objection and there are minor objections raised by respondent No.4. The petitioner may be directed to clear objections raised by respondent No.4.

4. Learned counsel for the petitioner submits that petitioner would supply requisite information to respondent No.4, however, respondents may be directed to release retiral benefits including family pension to petitioner and these benefits may not be divided into two parts because as per arrangement made between legal heirs, the petitioner is entitled to retiral benefits including family pension.

5. Learned State counsel does not dispute prayer of the petitioner qua release of retiral benefits including family pension to petitioner as other legal heirs have already furnished no objection.

6. In the wake of statement of both sides, the petition stands disposed of with a direction to respondent No.3 to supply copy of objections raised by respondent No.4 to the petitioner who would furnish her explanation. The respondent No.4 shall finalize claim of the petitioner within 3 months from the date of explanation furnished by the petitioner.

(JAGMOHAN BANSAL)
JUDGE

20.01.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>