

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

300

CWP-7143-2020
Date of decision: 28.02.2024

Ganimat Bhinder and Another ..Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. R.K. Arora, Advocate for the petitioners.

Mr. Manipal Singh Atwal, DAG, Punjab.

Mr. Kapil Kakkar, Advocate for respondent No.7.

AMAN CHAUDHARY. J.

1. The prayer in the present petition is for quashing memo dated 04.03.2020 whereby, the claim of petitioners for grant of family pension and other retiral benefits to them in equal share with their father-respondent No.7, was declined. Both the petitioners, who are also legal heirs of their deceased mother-Prabhjinder Kaur, are pursuing their studies in Canada and have no independent source of sustenance, except the support of their maternal uncle, Ravinderjit Singh. There was a matrimonial discord between their mother and father-respondent No.7 and were living separately, a fact noticed by this Court in its order dated 19.03.2020, at the time of issuance of notice of motion. As such, they are entitled to the pensionary benefits along with their father.
2. Learned counsel on instructions of respondent No. 7, who is present in person, submits that he has no objection if the prayer is allowed and the petitioners, who are his daughter and son receive the dues for the service rendered by their mother, in equal shares with him.

3. Learned State counsel submits that in view of the statement made by the parties, there is no objection for releasing the due amount in equal shares to all three of them.
4. Considering the peculiarity of the facts and circumstances of the case and the statements made above, it would be in the interest of justice to direct that the retiral benefits including family pension, be released to the petitioners and respondent No.7 in equal shares, within a period of two months, in accordance with law.
5. The present petition stands disposed of accordingly.

(AMAN CHAUDHARY)
JUDGE

28.02.2024
pry

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