

2024:PHHC:063797

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

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CWP-8838-2024

Date of decision: 08.05.2024

MANPREET (@ RUPI AND OTHERS

....PETITIONERS

Vs.

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Jaspreet Saini, Advocate
for the petitioners.

Mr. Aman Dhir, DAG, Punjab.

Mr. A.P.S. Sehgal, Advocate
for respondent No. 5.

Mr. Nitin Thatai, Advocate and
Mr. Rekhansh Sharma, Advocate
for respondent No. 6.

JAGMOHAN BANSAL, J (ORAL)

1. Mr. Nitin Thatai, Advocate has put in appearance on behalf of the petitioner and filed Power of Attorney, which is taken on record. Registry is directed to tag the same at an appropriate place.

2. Mr. A.P.S. Sehgal, Advocate has put in appearance on behalf of respondent No. 5 and filed Memo of Appearance, which is taken on record. He undertakes to file Power of Attorney in the Registry before the next date of hearing.

3. Short reply by way of affidavit of Naresh Kumar, PPS, Deputy Superintendent of Police, 3rd Indian Reserve Battalion, Ludhiana, Punjab, is taken on record. Registry is directed to tag the same at an appropriate place.



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4. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking directions to respondents to release pensionary/terminal benefits of Jarnail Singh who passed away on 16.11.2023 while in service.
5. Learned counsel for the petitioner *inter alia* contends that petitioner No.1 is second wife of Jarnail Singh who passed away on 16.11.2023. She as per Punjab Civil Services Rule, is entitled to family pension. She, is claiming her share and has no objection if another widow of deceased is released her share.
6. Mr. Aman Dhir, DAG, Punjab submits that there is no documentary evidence on record disclosing that deceased Jarnail Singh had solemnized marriage with petitioner No. 1 i.e. Manpreet @ Rupri. The mother of the deceased, as per available record, is legal heir. Nevertheless, if other petitioners submit documentary evidence in support of their claim, the Competent Authority would look into their grievance and do the needful.
7. In the wake of statement of both sides, the petitioner Nos. 1 to 3 are hereby directed to appear before the Commandant, IRB, 3rd Battalion, Punjab Police, Ludhiana-respondent No.2 on 15.05.2024 and thereafter as directed by respondent No. 2 along with requisite documents.
8. The respondent would decide their claim within 2 months from 15.05.2024.
9. Disposed of in above terms.

08.05.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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