



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CWP-25913 of 2017
Date of Decision:29.05.2024

Manpreet Kaur

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Inderjit Sharma, Advocate, for the petitioner.
Mr. Swapan Shorey, DAG, Punjab
Mr. J. S. Mehal, Advocate, for respondents No.4 and 5.

AMAN CHAUDHARY, J. (Oral)

1. The prayer made in the present petition was for issuance of direction to respondents No.1 to 3 to grant appointment on compassionate ground as also to release all service benefits on account of the demise of father of the petitioner who was working as Constable in Punjab Police. However, the aforesaid claims had not been decided in wake of the fact that there was an *inter se* dispute between the petitioner, who is the daughter from the previous marriage of Joginder Singh (since deceased) and Sharanjit Kaur-respondent No.4, second wife as also their daughter Amanpreet Kaur-respondent No.5. The matter has now been settled before the Mediation and Conciliation Centre of this Court, the relevant portion of the compromise/settlement dated 03.05.2024 reads thus:-

“6. The following compromise/settlement has been arrived at between the parties hereto:

- a) It is undisputed that no monetary benefits of service including family pension has been released till date on account of pendency of the writ petition, the same are lying with the department. It is agreed/settled between the parties that the benefits of service-monetary benefits, i.e. funds including Gratuity, Leave Encashment and GPF will be released in the bank account of Ms. Manpreet Kaur (first party) and only pension, commuted pension, family pension and arrears of pension will be disbursed in the bank account of Smt. Sharanjeet Kaur (second party/respondent No.4).*
- b) It is agreed/settled between the parties that Ms. Manpreet Kaur will not claim any right of appointment on compassionate basis on account of death of late Sh. Joginder Singh who died in harness. The right of compassionate appointment has been agreed between the parties will be claimed by the second party from the Department of Police, State of Punjab. The second party will move an appropriate application seeking compassionate appointment with the Police Department on account of death of late Sh. Joginder Singh, being their legal heirs. The first undertakes that she has no objection in case benefits of compassionate appointment is extended to the second party (Sharanjeet Kaur or Amanpreet Kaur) and if required she will sign all requisite documents as required by the Police Department, enabling the second party to get the job on compassionate basis.*
- c) It has been further agreed/settled between the parties that once the pension, commuted pension, arrears of pensions are released in the Bank account of Smt. Sharanjeet Kaur (respondent No.4 second party), within a period of 15 days thereafter she will transfer an amount of Rs.2,50,000/- (Two Lakhs Fifty Thousand) to Ms. Manpreet Kaur – first party in her Bank Account No.00761000033243 (Punjab & Sind Bank, IFSC No. PSIB0000076).*
- d) It has been agreed between the parties that in view of aforesaid terms of settlement application would be moved to the Police Department for release of benefits of late Sh. Joginder Singh. The first party shall have right in the service benefits to the extent of gratuity, leave encashment and GPF and pension, commuted pension, arrears of pension and family pension will go to the second party Smt. Sharanjeet Kaur.*
- e) That all the beneficiaries will submit their account details personally or through their representative to the concerned authorities so that the authorities will disburse the amount according to their respective share.*
- f) As informed by the parties, there is no other litigation pending between the parties.*

g) *It has been mutually agreed between the parties that from now no party will raise any dispute vis a vis the service benefits, compassionate appointment and any other moveable or immoveable property of late Sh. Joginder Singh. All other moveable and immoveable property will only be of second party and first party shall not raise any dispute with regard to the same. All rights stands settled vide the present compromise and no claim would be raised at later point of time.”*

2. Learned counsel for the parties submit that the respondents be directed to release the benefits and consider the case for grant of compassionate appointment in a time bound manner.
3. Learned State counsel on instructions submits that the needful would be done within a period of three months.
4. In view of the aforesaid, the present petition is disposed of accordingly.

(AMAN CHAUDHARY)
JUDGE

May 29, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No