



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CWP-21306-2020 (O&M)
Date of Decision: 29.07.2024

Snehlata

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Mr. Virender Kumar, Advocate for the petitioner.

Ms.Vibha Tewari, AAG, Haryana.

Ms.Swati Dayalan, Advocate for respondent No.4.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed for quashing the impugned letter dated 06.08.2018, Annexure P-6, whereby claim of the petitioner for family pension has been rejected, on the ground that her parents passed away prior to death of her husband.
2. Learned counsel for the petitioner submits that as per the notification dated 21.07.2006, Annexure P-3, and the judgment passed by this Court in **Shama Nagpal vs. State of Haryana and others**¹ Annexure P-7, unmarried daughters including widowed/divorced, are eligible for family pension.
3. Learned State counsel refers to the preliminary submissions in the written statement filed by the Block Development and Panchayat Officer- Respondent No.3 on behalf of respondents No.1 to 3, dated



19.04.2024, wherein specific averments were made, relevant of which read thus:

- “8. That the answering respondent contacted the office of the Director of Panchayats, Haryana, Chandigarh and sought advice in the matter. The Directorate provided the copy of Haryana Government, Finance Department, Notification No. 1/3/17/02 SO - 1 - Pen. dated 21.07.2006 and advised to send the family pension case of the petitioner to the Accountant General, Haryana, Chandigarh to consider as per Notification dated 21.07.2006. (Copy of Notification No. 1/3/17/02 SO-1 Pen. dated 21.07.2006 is attached as Annexure R-3/2).
- 9. That the answering respondent in continuation of his office letter No. 553 dated 19.02.2024 (Annexure R-3/1), again requested the office of Accountant General, Haryana, Chandigarh vide letter No. 1044 dated 08.04.2024 to consider the claim of the petitioner in view of the provisions contained in Notification dated 21.07.2006 (Annexure R-3/2 above).
- 10. That the competent authority for grant of family pension and to justify whether the claimant is eligible or not is the Accountant General, Haryana, Chandigarh, and therefore, the representation application Annexure P-5 is to be finally decided by the Accountant General, Haryana, Chandigarh and the same is pending consideration with his office. The answering respondent has already recommended the case of the petitioner for consideration as per rules. Therefore, the wait for the final decision of the Accountant General, Haryana, Chandigarh.”

- 4. Learned counsel appearing for respondent No.4-Accountant General (A&E), Haryana, submits that the reply to the petition filed by them is prior in time i.e., 05.07.2021 and on instructions states that in view of the subsequent developments as referred to hereinabove, in accordance with law, a period of 2 months be granted to them to do the needful and if there is no impediment, benefit would be released.
- 5. The aforesaid satisfied the learned counsel for the petitioner.
- 6. Disposed of accordingly.

July 29, 2024
Raman

(AMAN CHAUDHARY)
JUDGE