



CWP-30399-2018 (O&M)

-1-

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

223

CWP-30399-2018 (O&M)

Date of Decision :04.12.2024

Preeti

...Petitioner

Versus

**The Finance Department, State of Punjab
and others**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhimanyu Sood, Advocate for the petitioner.

Mr. T.P.S. Chawla, Senior DAG, Punjab.

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Harsimran Singh Sethi, J. (Oral)

In the present petition, the grievance being raised by the petitioner is that the petitioner is not being granted the benefit of family pension on the ground that the petitioner is a divorced daughter despite the fact that she is fully eligible for the said benefit.

Learned counsel for the petitioner argues that as per the rules governing the service, a divorced daughter has also been held entitled for the grant of benefit of family pension coupled with the settled principle of law settled by this Court in **CWP-27707-2019 titled as, Ambika vs. State of Haryana and others, decided on 28.05.2024.**

Learned counsel for the respondents has not been able to dispute the said fact. Learned counsel for the respondents submits that as the claim of the petitioner has been rejected only on the ground that she is a



CWP-30399-2018 (O&M)

-2-

divorced daughter, her claim will be reconsidered keeping in view the rules governing the service as well as the judgment of this Court in **Ambika** (**supra**) and in case, the petitioner is found entitled for the benefit, the same will be extended to her from the date the petitioner became eligible for the grant of the said benefit along with arrears.

Learned counsel for the petitioner submits that not only arrears but even the petitioner is also entitled for the grant of benefit of interest as the petitioner is litigating for her right for the grant of benefit of family pension from the last six years.

Keeping in view the fact that the respondents have already undertaken to reconsider the claim of the petitioner for the grant of benefit of family pension keeping in view the rules governing the service as well as the settled principle of law as it has gone undisputed that a divorced daughter is also entitled for grant of benefit of family pension, an appropriate order be passed within a period of 08 weeks from the date of receipt of copy of this order qua the grant of family pension and for whatever arrears the petitioner is found entitled for, the same be released to the petitioner along with interest @ 6% per annum from the date the amount became due till the actual payment of the same.

Present petition is disposed of in above terms.

Civil miscellaneous application pending, if any is also disposed of.

December 04, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No