



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

**CWP No. 1560 of 1999 (O&M)
Date of Decision: 25.02.2025**

Smt. Kasturi Devi

....Petitioner

VS.

Haryana Vidyut Prasaran Nigam Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Ravi Kumar Girdhwal, Advocate for
Mr. Sanjay Mittal, Advocate
for the petitioner

Mr. Padamkant Dwivedi, Advocate
for the respondents

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to pay family pension, death-cum-retirement gratuity, ex-gratia amount, leave encashment and other retiral benefits on account of death of her husband.

2. The petitioner's husband worked with respondent-Punjab State Electricity Board as work-charged employee from January'1964 to November'1968 and from January' 1973 to March' 1978. He unfortunately passed away on 18.03.1978 in a road accident. He was not a regular employee of the respondent-Board. His family was paid gratuity and provident fund, however no family pension, leave encashment or other



financial assistance was extended. The petitioner claims that she being widow of late Sh. Roop Lal is entitled to ex-gratia, family pension and leave encashment.

3. The instant petition was filed before this Court in 1999 and aforesaid employee had passed away in March’ 1978. The respondents on the basis of available record pointed out that deceased employee was neither accorded regular scale nor was a regular employee. He was not entitled to family pension or ex-gratia benefit. Dues, as permissible by law, already stand paid. In the absence of particular provision, this Court cannot ask the respondents to pay ex-gratia or family pension especially when petitioner had lodged claim after 21 years from the date of death of the employee.

4. Dismissed.

5. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

25.02.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No