



CWP-4835-2025

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

CWP-4835-2025

Date of Decision:20.02.2025

SUMAN AND ANOTHER

..... Petitioners

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Sandeep Thakan, Advocate for the petitioners.

Mr. Raman Sharma, Addl. AG, Haryana.

Mr. Prince Singh, Advocate for respondents No.2 to 4.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondent to transfer monthly financial assistance in favour of petitioner No.2. The petitioner No.1- Suman is daughter-in-law of petitioner No.2-Bala Devi.

2. Mukesh Kumar was working with respondent who passed away on 04.02.2015 in harness. The respondent in terms of Government instructions dated 01.08.2006 released monthly financial assistance in favour of wife of the deceased. She has solemnized second marriage with her brother-in-law (*Devar*). She, at present, is staying with her mother-in-law as well as husband. She wants that monthly financial assistance available to her may be transferred to her mother-in-law i.e. mother of the deceased.

3. Mr. Sandeep Thakan, learned counsel for the petitioner submits that petitioners have requested respondent to transfer monthly financial assistance from the account of petitioner No.1 to petitioner No.2 but to no avail.



4. Mr. Prince Singh, Advocate, learned counsel for the respondent who on advance notice is present in Court submits that petitioner No.1 is getting monthly financial assistance in terms of 2006 Rules. As per said Rules, family members are entitled to monthly financial assistance. Expression ‘eligible family member’ has not been defined under the said Rules. On account of lack of clarity, the respondent has not transferred monthly financial assistance in favour of petitioner No.2.

5. The respondent is not disputing that petitioner No.2 is mother of the deceased. The petitioner No.1 has categorically deposed that monthly financial assistance may be transferred in the account of her mother-in-law. Mother of an employee may or may not be dependent, however, she is always a family member. The notification dated 01.08.2006 has used expression ‘eligible family member’. The mother in no manner can be called as non-eligible family member.

6. This Court is of the considered opinion that petitioner No.2 being mother of deceased employee is entitled to monthly financial assistance as petitioner No.1 has furnished affidavit in favour of her mother-in-law. This Court is conscious of the fact that petitioner No.1 has solemnized second marriage with younger son of petitioner No.2.

7. Let the needful be done within a period of 1 month from today.

8. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

20.02.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No