



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

211

CWP-5210-2023 (O&M)

Date of Decision: 28.11.2025

SHANTI DEVI

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Dilbagh Singh, Advocate
for the petitioner

Mr. Ravi Partap Singh, DAG Haryana

Mr. Vikas Chatrath, Sr. Advocate with
Mr. Abhishek Sharma, Advocate
Ms. Haridhi Aggarwal, Advocate and
Mr. Amirudh Malhan, Advocate
for respondent-Bank

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 18.06.2021 and 16.09.2022 whereby her family pension was stopped w.e.f. June' 2021 and demand notice of Rs.7,57,150/- was issued.

2. The petitioner's husband Mr. Shamsheer Singh was posted with Haryana Police Force as Constable. He passed away on 17.01.2005 while in service. The respondent as per Haryana Compassionate Assistance to Dependents of Deceased Government Employees Rules, 2003 granted her compassionate benefits besides family pension as per applicable Rules. The petitioner preferred *CWP-12302-2008* before this

Court seeking monthly financial assistance as per Haryana Compassionate Assistance to the Dependents of the Deceased Government Employees Rules, 2006 (for short '2006 Rules'). This Court vide order dated 16.02.2009 directed the respondent to consider petitioner's claim under 2006 Rules. The operative portion of order dated 16.02.2009 reads as:-

"I find that the ratio decidendi applies to the facts of this case. In that case the rules were sought to be amended by a letter issued by Financial Commissioner-cum-Principle Secretary whereas in the present case an amendment has been made by the Chief Secretary in the guise of a clarification. On testing against the anvil of the law laid down in the aforementioned judgment, the decision of the respondents in not granting benefit to the petitioner under the 2006 rules (supra) is clearly unwarranted and, therefore, set aside considering the fact that it is a case of grant of benefit to the family of a government servant who died in harness. The respondents are directed to consider the case of the petitioner under the 2006 Rules (supra) and, after computing the same, release the benefits (w.e.f. 1.8.2006, the appointed date) within a period of two months from the date of receipt of a certified copy of this order. In case, the arrears are not paid within the aforementioned period, then the petitioner would be entitled for interest @8% per annum from the date of accrual till actual payment.

Accordingly, the petition stands disposed of."

3. The respondent pursuant to aforesaid order of this Court started releasing monthly financial assistance w.e.f. 01.08.2006. The petitioner as per applicable Rules was entitled to monthly financial assistance (for short 'MFA') for 12 years. She was entitled to MFA till

31.07.2018. She was entitled to family pension after 31.07.2018. The respondent stopped her pension w.e.f. 18.06.2021. The petitioner is claiming that she should be released pension along with arrears.

4. On 16.03.2023, the following order was passed by this Court:-

“Learned counsel for the petitioner contends that the financial assistance was allowed to the petitioner after the demise of her husband. The petitioner also availed family pension simultaneously without any allegation of fraud or misrepresentation. Under Compassionate Policy of 2006, the petitioner availed the benefit of last pay drawn for 12 years i.e. up to 01.08.2018. On coming to know the simultaneous awarding of family pension, recovery is sought to be effected from the family pension of the petitioner, thereby completely stopping the same. As of now the petitioner is not drawing any family pension and she had already completed the tenure of 12 years for which financial assistance was granted under Compassionate Policy of 2006.

Notice of motion returnable on 25.04.2023.

At this stage, Mr. Navjit Singh, Advocate appears on behalf of the respondent No.3.

Notice re: stay as well.”

5. On 05.08.2025, the following order was passed by this Court:-

“The petitioner claims that her family pension is stopped for last four years. There was no occasion to stop the family pension. Neither counsel for the bank nor State Government is able to explain reason of withholding family pension. No calculation with respect to payment already made, outstanding against the petitioner or due to the petitioner have been placed on record. The matter is pending before this Court for last two years and it is case

of family pension of a widow.

Adjourned to 17.09.2025 subject to costs of Rs. 25,000/- each upon the State and bank, to be paid to the petitioner.

Both the respondents by the adjourned date would clarify status of monthly financial assistance already paid and to be paid as well as family pension already paid and to be paid, outstanding against the petitioner; sum due to the petitioner and reason of withholding family pension.”

6. Learned counsel for the respondents confirmed that they have paid costs to counsel for the petitioner.
7. The respondent-State in its reply has clarified status of payment. The relevant paragraphs disclosing payment made by respondent to petitioner are reproduced as below:-

“7. That the calculation sheet of monthly financial assistance (MFA) and interest thereon was prepared from 01.08.2006 to 30.04.2015, which is as under:-

<i>Sr. No.</i>	<i>Particulars</i>	<i>Amount</i>	<i>Annexure and Page No.</i>
<i>A</i>	<i>Total MFA</i>	<i>14,33,665/-</i>	<i>Annexure R-1 [page No.7 to 9]</i>
<i>B</i>	<i>Family pension paid from 01.08.2006 to 30.04.2015</i>	<i>5,82,382/-</i>	
<i>C</i>	<i>Difference in total amount of MFA and Family pension already paid</i>	<i>8,51,283/-</i>	
<i>D</i>	<i>Interest @ 8%</i>	<i>1,93,355/-</i>	
<i>E</i>	<i>Total MFA along with interest paid</i>	<i>10,44,638/-</i>	

That it is submitted that the amount of pending MFA i.e. Rs. 8,51,283/- was disbursed in the account of the

petitioner vide Voucher No.000099 dated 30.07.2015. Further, the amount of interest i.e. Rs. 1,93,355/- was disbursed in the account of the petitioner vide Voucher No. 000001 dated 13.08.2015 (copy of payments made to the petitioner is annexed as Annexure R-2 [page No. 10] for kind perusal of the Hon'ble High Court). It is further submitted that the entire amount of MFA has already been paid to the petitioner, and no amount remains payable to her.

8. That it is submitted that after 30.04.2015, the petitioner was regularly drawn MFA from May-2015 to July- 2018 i.e. Rs. 8,69,928/- and extract of the same is annexed as Annexure R-3 [page No. 11] for kind perusal of the Hon'ble High Court.

9. That it is submitted that the Principal Accountant General, Haryana, Chandigarh, has been requested for releasing revised PPO vide this office memo No. 30166 dated 18.08.2025 along with calculation sheet which is as under:

<i>Sr. No.</i>	<i>Particulars</i>	<i>Amount</i>	<i>Annexure and Page No.</i>
<i>A</i>	<i>Total Family pension paid from 01.08.2018 to 31.07.2025</i>	<i>10,92,540/-</i>	<i>Annexure R-4 [page No.12-13]</i>
<i>B</i>	<i>Family pension already paid from 01.05.2015 to 31.07.2018</i>	<i>3,71,430/-</i>	
<i>C</i>	<i>Family pension already paid from 01.08.2018 to 31.05.2021.</i>	<i>3,85,720/-</i>	
<i>D</i>	<i>Net Family Pension to be paid</i>	<i>3,35,390/-</i>	

That it is further submitted that the Principal Accountant General, Haryana, has issued revised FPPO No. 1425517908517908 dated 08.09.2025 which is annexed as Annexure R-5 [page No. 14-16] for kind perusal of the Hon'ble High Court."

8. Learned State counsel submits that State has already issued revised PPO. The petitioner has shifted her pension account from SBI To Canara Bank. The arrears have already been released.

9. Learned Sr. counsel for the respondent-Bank submits that Bank was unable to release pension because of non-receipt of fresh PPO which was required on account of conversion of MFA to Family Pension. The petitioner is not having pension account with their Bank, thus, she is supposed to pursue her matter with Canara Bank.

10. In the wake of statement of counsel for the respondents, the petition stands disposed of with the direction to petitioner to file comprehensive representation to respondent clarifying her calculation and amount already received by her. The respondent-State shall ensure that family pension of the petitioner is not stopped and arrears, if any, are transferred in the relevant bank account. The respondent-Bank shall release amount, if any, lying with them. It is further clarified that State as well as Banks would be competent to set off excess payment, if any, made on account of confusion of family pension *vis-à-vis* MFA. The respondent-State would keep in mind that MFA was payable up to 31.07.2018.

11. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

November 28, 2025
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No