

**CWP-9717-2000 & CWP-5186-2003****-1-**

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

205 (2 Cases)**CWP-9717-2000****Date of Decision: 03.03.2025****Smt. Muni Bai and others****...Petitioners**

Versus

State of Haryana and others**...Respondents**

And

CWP-5186-2003**Smt. Kishan Dei through LRs and others****...Petitioners**

Versus

State of Haryana and others**...Respondents**

Present: - Ms. Bindu Goel, Advocate,
Ms. Gargi Kumar, Advocate and
Mr. Pritish Goel, Advocate for the petitioners
(for the petitioners in CWP-9717-2000)

None for the petitioners in CWP-5186-2003

Ms. Palika Monga, Deputy Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from *CWP-9717-2000*.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to the respondents to release family pension.



3. The petitioner claims that she is widow of Ram Sahin who died on 23.02.2000. He had retired from the office of Haryana Police on 01.08.1985.

4. The respondent withheld family pension on account of dispute between the wives. It is apt to notice that deceased employee was having two wives and both were eligible for pension. On account of dispute between the wives, the respondent did not release pension to either of them.

5. Learned counsel for the petitioner submits that first wife passed away on 24.07.2006. There is no male member in the family. The petitioner being legally wedded wife is entitled to family pension.

6. Learned State counsel expressed her inability to controvert the fact that family pension has not been given to either of the wives. She submits that family pension could not be released because there was dispute between both the wives. The department was not even clear whether present petitioner is legally wedded wife. As per pension papers, first wife was legal heir of the deceased employee.

7. The respondent has not released pension to anyone. As per record and arguments of both sides, there were two wives of the deceased employee. The respondent was duty bound to release family pension in accordance with law and it was unfair to withhold the entire pension. The parties approached this Court in 2000 and unfortunately, the matter is pending for last 25 years. First wife, as claimed by petitioner, has passed away. Both sons of the deceased have also passed away.

8. In the backdrop, the respondents are directed to consider claim of the petitioner and if she is found legally wedded wife of deceased

**CWP-9717-2000 & CWP-5186-2003****-3-**

employee, she be released family pension along with arrears. The respondent is free to consider claim of wife of deceased son as well as anybody else who lodges his claim. The arrears shall carry interest @ 6% per annum.

9. Let the needful be done within two months from today.

(JAGMOHAN BANSAL)
JUDGE

03.03.2025*Mohit Kumar*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No