

2025:PHHC:033850



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

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CWP-7304-2023

Date of Decision: 10.03.2025

ASHA YADAV

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Sunil Kumar Nehra and Mr. Viren Nehra,
Advocate for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present writ petition is to the communications dated 25.05.2021 (Annexure P-7) and 27.04.2021 (Annexure P-8) whereby the petitioner has been communicated that he is not entitled for benefits under the Old Pension Scheme. A further challenge has also been raised to the order dated 06.05.2015 vide which the benefit of past service granted to the petitioner's husband was withdrawn after his death.

Leaned counsel for both the parties are *ad idem* that Dr. Ashok Kumar- the husband of the petitioner had passed away on 25.03.2014 and hence, as per applicable service rules, no order could have been passed on 06.05.2015 i.e. after the death of said Dr. Ashok Kumar.

In view of the above facts and circumstances, the communications impugned hereby i.e. communications dated 25.05.2021 (Annexure P-7) and 27.04.2021 (Annexure P-8) as well as order dated 06.05.2015 (Annexure P-9) are set aside. Accordingly, the respondents are directed to take all necessary consequential steps in accordance with law, within a period of four months from today.

Disposed of in above terms.

MARCH 10, 2025.
Rajender

(VINOD S. BHARDWAJ)
JUDGE

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