

CWP-12590-2025

-1-

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

136

CWP-12590-2025

Date of Decision: 05.05.2025

Sonia Sharma

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

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

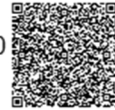
Ms. Tanushree Gupta, Deputy Advocate General, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the memo dated 01.04.2024, Annexure P-1, whereby the petitioner's claim for family pension has been declined.

2. Learned counsel contends that the petitioner is divorced daughter of late Smt. Surinder Sharma, who retired as Lecturer-cum-Head of the Department (Music) from an aided College/S.D. College, Ambala Cantonment with effect from 31.07.2000. She is entitled to family pension in terms of notification dated 31.10.2008, Annexure P-8, issued under the Punjab Civil Service Volume II (Haryana Amendment) Rules, 2008, whereby divorced daughter has been considered eligible for grant of family pension.

3. Learned State counsel, appearing on advance notice, on the contrary, contends that the petitioner cannot claim the benefit of said

**CWP-12590-2025****-2-**

notification as her mother served in an aided College and was entitled to pension under the Haryana Affiliated Colleges (Pension and Contributory Provident Fund) Rules, 1999 (for short 'the Rules of 1999'), wherein divorced daughters are not included in the definition of 'family'. These facts have been mentioned in the impugned memo as well.

4. Considering the submissions, this Court is of the view that there is no ground to entertain the petition. The petitioner's mother undisputedly was an aided college employee who was given pension under the Rules of 1999. Reliance upon notification, dated 31.10.2008, to claim family pension is misconceived since it has been issued under the Punjab Civil Services Rules, applicable to government servants. Merely because salary grant for aided college employees is given by the government they cannot be treated equivalent to government teachers in every respect. Besides, the provisions of the Rules of 1999 are not under challenge.

5. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

05.05.2025*Payal*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No