



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

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CWP-13548-2016 (O&M)
Date of decision: 20.01.2025

Gurpreet Kaur

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sanjiv Gupta, Advocate for the petitioner

Mr. Satnam Preet Singh, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition is for quashing the action of the respondents in not considering the case of the petitioner for family pension, to which learned counsel for the petitioner on instructions, limits her prayer.
2. The husband of the petitioner was appointed as a constable in the year, 1991, however, was dismissed from service vide order dated 16.02.2007, after having rendered 16 years of service, on account of being absented from duty for 2 years, 5 months and 11 days.
3. The civil suit filed challenging the aforesaid, was partly decreed to the extent that the Department would consider the case of plaintiff for grant of pensionary benefits, which was upheld by First Appellate Court as well as in Regular Second Appeal. However, vide order dated 25.01.2016, Annexure P-5, the LRs have been held not entitled for the said benefit. In this regard, a reference is made to the judgments in **Manpreet Kaur vs. State of Punjab and Others**, CWP-6036-2020, decided on 08.02.2024, **Ex. Constable Satnam Singh vs. State**

of Punjab, CWP-15475-1995, decided on 18.07.1996, Major G.S. Sodhi vs. Union of India, 1991 (2) SCC 371, wherein relying on Rule 16.2 of the Punjab Police Rules, 1934.

4. The aforesaid facts having been brought out, during the course of hearing, learned State counsel sought instructions and thus states that the respondents would not be averse to having a relook at the matter and decided afresh within a period of 6 months.

5. The matter stands disposed of accordingly and if the petitioner is found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same may be passed after granting opportunity of hearing to her and shall contain reason, whereupon the petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

20.01.2025
M.Kamra

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