



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(224)

CWP No. 17610 of 2024 (O&M)

Date of Decision : 25.07.2025

Piara Devi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vinod Kumar, Advocate for the petitioner.

Mr. Rahul Rampal, Addl. A.G., Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the claim of the petitioner is for the grant of family pension and release of the other pensionary benefits to the petitioner, who is the mother of the deceased, namely, Babu Ram, who worked as a Clerk with respondent No. 3.

2. Learned counsel for the petitioner argues that the benefit of pension as well as the pensionary benefits has been given to the widow of Babu Ram and the petitioner, who is the mother of the deceased, has been ignored.

3. Learned counsel appearing on behalf of the respondents submits that the son of the petitioner was working as a Clerk with respondent No. 3 and unfortunately, died on 08.08.2018 and though, the petitioner has also been declared as a legal heir to the deceased but the pensionary benefits are



to be given in accordance to the rules governing the service i.e. Punjab Civil Service Rules, Volume II.

4. Learned counsel for the respondents further submits that for the said purpose of disbursing the pension to the family of deceased, the same has already been defined under Rule 6.17(3) of Punjab Civil Services Rules, Volume II, wherein, the family pension has to be given initially to the widow in case of deceased husband and after the ineligibility of the widow, the same has to be given to the children upto the age of 25 years in case of son or upto the age of marriage with regard to the daughter and the parents will only come into picture in case, neither the children nor the widow is eligible to get the benefits. The Rule 6.17 (3) of Punjab Civil Services Rules, Volume II is as under :-

“(3) ‘Family’ for purposes of this scheme will grant of pension include following relatives of the Government employee:-

(a) Wife in the case of a male Government employee and husband in the case of female Government employee;

(b) a judicially separate wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery;

(c) sons up to the age of twenty five years;

(d) daughters up to the age of twenty five years irrespective of their marriage but unmarried daughters shall be included in the family irrespective of their age; and

(e) parents who were wholly dependent on the Government employee, when he/she was alive provided that deceased employee has left behind neither widow nor a child.”



5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. Once, the rules governing the service envisage a hierarchy for the grant of family pension as well as the pensionary benefits, the petitioner cannot claim the pensionary benefits in preference to the widow or the children. In the present case, respondent N o. 5 is the widow of Babu Ram, who has been given the benefits according to the rules.

7. Learned counsel for the petitioner has not been able to point out that how the act on part of the respondents, granting benefit to widow of deceased is incorrect or contrary to the rules as has been reproduced herein above. In the absence of any right shown to this Court by the mother of the deceased employee to get the pensionary benefits or the family pension in preference to the widow or the children, no ground is made out for any interference by this Court so as to grant the relief to the petitioner.

8. Dismissed.

9. Pending miscellaneous application, if any, also stands disposed of.

July 25, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No