



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

261

CWP-19626-2024
Date of Decision: 02.12.2025

CHARANJIT KAUR

...Petitioner

Versus

THE PUNJAB STATE POWER CORPORATION LTD AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. J.S. Jaidka, Advocate with
Ms. Garima, Advocate and
Mr. Lovepreet Singh, Advocate
for the petitioner.

Mr. Rehat Bir Singh Mann, Advocate
for respondents.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been preferred under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing of the impugned order dated 30.05.2024 (Annexure P-1), which mandates recovery of ₹10,68,220/- from the petitioner.
2. Learned counsel for the petitioner *inter alia* contends that the husband of the petitioner died in harness on 29.07.1989. The petitioner, thereafter, started drawing family pension being widow of the deceased employee. The daughter of the petitioner got married to one Harpreet Singh and a matrimonial dispute ensued between them, ultimately culminating in a



divorce on 17.03.2023. Learned counsel for the petitioner submits that in order to take vengeance, a false complaint was made before the respondents with the allegation that the petitioner had remarried her brother-in-law Himmat Singh and as such, the petitioner is not entitled to the family pension and has committed fraud on the respondent-Corporation. On the basis of this complaint submitted by Harpreet Singh, an inquiry was initiated, which is still pending, yet on 30.05.2024 predetermining the issue in a per-conceived mind, the petitioner was directed to deposit an amount of ₹10,68,220/-. Learned counsel submits that the impugned order has been passed in a mechanical manner without assigning any reason to justify the conclusion drawn.

3. *Per contra*, learned counsel for the respondent-Corporation submits that the petitioner cannot be permitted to perpetuate a fraud by drawing a family pension in spite of having re-married. The respondent-Corporation further notes that the petitioner gave birth to a son namely Gurpreet Singh on 29.04.1991, as is evident from the copy of the passport attached with the written statement as Annexure R-2. However, learned counsel for respondent-Corporation is not in a position to controvert the fact that the inquiry is still pending and the impugned order was passed without issuing any notice to the petitioner.

4. Having heard the learned counsel for both the parties and perusing the record, it transpires that the inquiry was initiated on the basis of complaint submitted by the estranged son-in-law of the petitioner, which is still pending. As such, to conclude that the petitioner has re-married before culmination of the inquiry is beyond comprehension of this Court. Further,



the impugned order was passed without issuing any prior notice to the petitioner and it does not satisfy the effective standards of reason and justice.

5. The administrative authorities as well as quasi-judicial authorities are required to assign reasons when arriving at a particular decision, in accordance with the law laid down by the Hon’ble Apex Court in the cases *Kranti Associates Private Limited and another Vs. Masood Ahmed Khan and others (2010) 9 SCC 496* and *Siemens Engineering and Manufacturing Co. of India Ltd. v. Union of India 1976 (2) SCC 981*.

6. Accordingly, the present petition is allowed. The impugned order dated 30.05.2024 (Annexure P-1) is hereby set aside.

7. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

02.12.2025
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No