



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

224

CWP-26570-2022 (O&M)

Date of decision: 14.05.2025

Rajvir Kaur

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Ritu Punj and Ms. Manvi Singla, Advocates for the petitioner

Ms. Shruti, AAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Learned counsel states that the petitioner is entitled to grant of full family pension in view of Rule 6.17 (iv) of the Punjab Civil Services Rules (Vol.II).

2. He places reliance on the judgment interpreting the above said rule in **Jaswinder Kaur vs. State of Punjab and Others**, CWP-18192-2019, decided on 26.02.2020 while relying on **The State of Punjab and Others vs. Harpal Kaur**, LPA-1434-2014, decided on 01.09.2014, against which no appeal was filed and prays for disposal of the present petition in terms thereof, relevant paras read thus:

“Counsel for the respondents is unable to distinguish the present case from the decision of the Division Bench in LPA No.1434 of 2014 decided on 01.09.2014. Division Bench of this Court interpreted the Note (I) below Rule 6.17 (4) of the Punjab Civil Services Rules Volume-II while returning the finding that the family pension is estate of the legal heirs of the deceased employee and hence cannot be ceased in any manner by the State and the State is liable to pay 100% family pension, which can be shared by any number of the legal heirs of the deceased employee but the State cannot retain the same on the ground that one share holder of the recipients of the family pension has become ineligible and the said share is to be ceased and the same cannot be transferred to the other legal heirs.

Keeping in view the above, the claim of the petitioner for the grant of benefit of 100% family pension is allowed as

her claim is squarely covered by the decision rendered by the Division Bench in **Harpal Kaur's** case (supra) from the date Sh. Lovepreet Singh became ineligible to receive the family pension and the same was stopped. Respondents are directed to compute the arrears for which the petitioner becomes entitled, under this order within a period of two months from the date of receipt of certified copy of this order and the amount so calculated will be released to the petitioner within a period of one month thereafter.

As the claim of the petitioner was not being accepted despite being a settled principle of law settled by this Court as far back as in the year 2014, petitioner will also be entitled for interest on the arrears of the family pension, which will be paid to her under this order. The said arrears will also carry interest @ 9% per annum from the date the amount became due till the release of the same.”

3. Learned State counsel despite best efforts has been unable to controvert regards the factual position and draw out any distinctive aspects in the aforementioned judgment or cite any contrary law.

4. Disposed of in terms of **Jaswinder Kaur** (supra).

(AMAN CHAUDHARY)
JUDGE

14.05.2025

M.Kamra

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