



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

**CWP No. 27306 of 2025
Date of Decision:24.09.2025**

Gurpreet Kaur

....Petitioner

VS.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Nitesh Singla, Advocate
for the petitioner

Mr. Aman Dhir, DAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 22.05.2023 (Annexure P-5) to the extent she has been granted 50% family pension instead of 100%.

2. Karan Singh joined Punjab Police Force in 1994. He died in harness in 2019. His wife passed away on 06.10.2006. He solemnized second marriage with petitioner on 18.04.2007. There are two children from first marriage of the deceased employee. Both the children are more than 25 years old. They are also married. They are neither entitled to family pension nor claiming said benefit.



3. Mr. Nitesh Singla, Advocate submits that case of petitioner is squarely covered by order dated 18.09.2025 passed by this Court in **CWP-26565 of 2025**, titled as **“Hardeep Kaur vs. State of Punjab and others”**.

The relevant extracts of order dated 18.09.2025 are reproduced as below:-

“2. On 08.09.2025, this Court passed the following order: -

“1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 10.01.2025 whereby she has been denied 100 % family pension.

2. The petitioner is second wife of Late Sh. Daljeet Singh who retired from Punjab Police on 30.04.2015 on attaining the age of superannuation. His first wife Smt. Sukhjinder Kaur passed away on 10.10.2010. There were two children from the said wedlock. Elder was born in 1979 and younger in January’ 1982. Both the children at the time of death of Daljeet Singh were not only major but also ineligible for family pension. Daljeet Singh solemnized second marriage with the petitioner on 31.05.2017 and no child was born from this wedlock. Daljeet Singh was getting pension after his retirement and he passed away on 22.12.2022. The respondent released 50% of family pension to the petitioner. She made representation to respondents seeking 100% family pension. She also preferred CWP No.19728 of 2024 before this Court seeking directions to respondents to release her 100% family pension. This Court vide order dated 14.08.2024 disposed of aforesaid petition with a direction to respondents to consider claim of the



petitioner and pass an appropriate order within three months. The respondent vide order dated 10.01.2025 rejected her claim. The copy of order was supplied to her in July' 2025. A Division Bench of this Court in LPA No.1434 of 2014, State of Punjab and others v. Harpal Kaur has held that State is liable to pay 100% family pension and it cannot retain share of a legal heir on the ground that he/she has attained age of 25 years. The respondent has granted 100% family pension to Sunita Kumari who preferred CWP No.37455 of 2019 before this Court. The respondent has wrongly rejected claim of the petitioner.

3. *The respondent is relying upon Rule 6.17 of Punjab Civil Services Volume-II along with Note 1 and 2, however, there is no discussion as to how the said notes are applicable to the instant case.*

4. *Let affidavit of Commissioner of Police, Jalandhar be filed explaining how Notes 1 & 2 are applicable to the instant case.*

5. *Adjourned to 18.09.2025."*

3. *In compliance of aforesaid order, Ms. Dhanpreet Kaur, I.P.S., Commissioner of Police, Jalandhar has filed affidavit dated 17.09.2025. The same is taken on record. Registry is directed to tag the same at an appropriate place. In the said affidavit, it has been deposed that respondentState has reconsidered claim of the petitioner and she has been sanctioned 100% pension. Earlier order dated 10.01.2025 has been recalled vide order dated 16.09.2025, thus, grievance of the petitioner stands redressed. For ready reference, Para No.5 of the affidavit reads as: -*

"5. That it is respectfully submitted that now in compliance with the aforesaid order dated

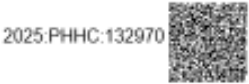


08.09.2025 passed by this Hon'ble Court in the present petition, the deponent has re-examined the matter and also gone through the relevant Rule 6.17 of the Punjab Civil Services Rules particularly Notes 1 and 2 as well as the instructions dated 13.05.2025 issued by the Government of Punjab, Finance Department (Finance Pension Policy and Coordination Branch). The speaking order dated 10.01.2025 has been reviewed and a fresh speaking order dated 16.01.2025 (Annexur-R1) has been passed, wherein, the petitioner is ordered to be entitled for 100% family pension by giving the detailed reasons referred therein. Accordingly, the office of respondent No.4 has also approved and granted the 100% family pension to the petitioner vide their office letter No.PEN06/ Intimation/25-26/PE/ 25/15/80643447 dated 17.09.2025. Copy of the said letter dated 17.09.2025 is attached herewith as Annexure-R2 for kind perusal of this Hon'ble Court."

4. In the wake of afore-stated affidavit, the petition stands disposed of. The petitioner is at liberty to move an appropriate application within three months, if cause survives."

4. Learned State counsel does not dispute the fact that in view of affidavit dated 17.09.2025 filed by respondents in **Hardeep Kaur (Supra)**, the petitioner is entitled to 100% family pension.

5. In the wake of order passed in **Hardeep Kaur (Supra)** and statement of learned State counsel, the instant petition is allowed. The impugned order is hereby modified to the extent that petitioner is entitled to



100% family pension. The respondents shall also consider her claim for balance gratuity. The needful shall be done within two months from today.

(JAGMOHAN BANSAL)
JUDGE

24.09.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:	Yes	