

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

2025.PHHC.151728



**CWP No.30536 of 2025  
Date of Decision:04.11.2025**

**Parminder Kaur**

**....Petitioner**

**VS.**

**State of Punjab and others**

**....Respondent**

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

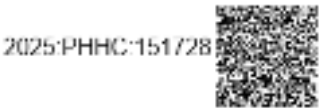
Present: Mr. Balbir Singh Jaswal, Advocate, for the petitioner  
Mr. Aman Dhir, DAG, Punjab

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**JAGMOHAN BANSAL, J. (ORAL)**

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of communication/letter dated 03.07.2024 (Annexure P-5) whereby respondent has denied her benefit of family pension.

2. The petitioner claims that she is widow of late Gurbhajan Singh who died in harness on 20.06.2002. He was holding rank of Head Constable. The petitioner was granted family pension w.e.f. 21.06.2002. She solemnized marriage with her brother-in-law (brother of her deceased husband). On account of said marriage, family pension was transferred in favour of her daughter namely Jaspreet Kaur w.e.f. 01.06.2007. The petitioner is having two children and they are residing with her. She has been given appointment on compassionate ground. Her daughter has completed 25 years of age, thus, respondent has stopped family pension. The petitioner is entitled to family pension despite compassionate appointment and second marriage because she had solemnized marriage with her brother-in-law.



3. Learned State counsel submits that petitioner was granted family pension. W.e.f. 01.06.2007, the family pension was paid to daughter of the deceased employee under the guardianship of her mother (petitioner). The date of birth of daughter of the deceased employee is 05.04.1999. The moment she attained age of 25 years, she became ineligible for family pension. The petitioner is having another daughter whose date of birth is 18.08.2001. Family pension may be released to younger daughter upto 25 years of age, however, it cannot be released to petitioner because as per amendment made in Rule 8.35 of Punjab Civil Services Rules, the petitioner is not entitled to family pension.

4. As per amended provisions particularly Rule 8.35 of Punjab Civil Services Rules, the petitioner is not entitled to family pension. Her first daughter availed family pension upto the age of 25 years. Her younger daughter is eligible for family pension. Petitioner may move an appropriate application for release of family pension in favour of her younger daughter.

5. The Court is sanguine that if petitioner moves an appropriate application for release of family pension in favour of her younger daughter, the competent authority would look into the matter and pass an appropriate order expeditiously and preferably within two months from the date of filing application.

6. Petition stands disposed of in the above terms.

04.11.2025  
paramjit

(JAGMOHAN BANSAL)  
JUDGE

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