



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

CWP-35219-2024

Date of Decision:07.01.2025

RAJWINDER KAUR

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Karan Chaudhary, Advocate for
Mr. Inderjit Sharma, 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 direction to official respondents to grant her widow/family pension.

2. The petitioner claims that she is widow of Late Gurwant Singh who passed away on 20.11.2024. On account of strained relations, the petitioner was not staying with her deceased husband. Her husband during his lifetime twice filed petition before Family Court seeking divorce. First petition was dismissed and second abated on account of his death. The deceased employee has got recorded name of respondent No.5, in his official record, as his wife.

3. Mr. Karan Chaudhary, Advocate for the petitioner submits that respondent No.5 is not a legally wedded wife of Late Gurwant Singh, thus, she is not entitled to pensionary/terminal benefits of Late Gurwant



Singh. It is only the petitioner who is entitled to all the benefits.

- 4. Notice of motion.
- 5. Mr. Aman Dhir, DAG, Punjab who on advance notice is present in Court, accepts notice on behalf of the respondent-State and waives service.
- 6. With consent of learned counsel for the parties, the case is taken up for final disposal.
- 7. Mr. Aman Dhir, DAG, Punjab submits that petitioner seeking almost similar relief as sought in the instant petition has filed civil suit before Civil Judge (Sr. Divn.), Amritsar.
- 8. The petitioner is claiming that she was legally wedded wife of Late Gurwant Singh and as per record of the official respondent, the respondent No.5 is wife of Late Gurwant Singh.
- 9. This Court cannot determine marital status of petitioner *vis a vis* respondent No.5. It is only the Civil Court which after considering evidence can adjudicate this question. Nevertheless, the respondents are duty bound to proceed, in accordance with law, with respect to retiral/terminal benefits of deceased employee.
- 10. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

07.01.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No