IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 19149/2026
Decided on: 27.10.2026

Vidya Devi …Petitioner

Versus

State of H.P. & Ors. ….Respondents.

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Coram
Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the petitioners:	**Mr. Bonit Thaur, Advocate.**
For the respondents:	**Mr. Sikander Bhushan, Deputy Advocate General, for respondents No.1 to 4.** **Mr. Dikken Kumar, Advocate, for respondent No.5.**

Jyotsna Rewal Dua, J

Notice. Mr. Sikander Bhushan, learned Deputy Advocate General and Mr. Dikken Kumar, learned counsel, accept notice on behalf of the respective respondents.

2. The case set up by the petitioner is that her husband, Shri Naranjan Singh, retired from the service of the respondents-Jal Shakti Vibhag on 25.02.2005 after rendering more than 11 years of daily-wage service and 7 years and 1 month of regular service. He passed away on 01.10.2006. Pursuant to the directions issued in ***Vidya Devi Vs. State of H.P. & Ors***[2]. the respondent-department

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1 *Whether reporters of the local papers may be allowed to see the judgment? yes*

2 CWP No. 16461/2025 decided on 17.10.2025

considered the case of the petitioner, and her claim for family pension was accepted. The respondent-department forwarded petitioner's case to the office of respondent No. 5 for authorization of the Pension Payment Order (PPO). However, respondent No. 5 returned petitioner's case on 06.03.2026 on the ground that the petitioner was the second wife of the deceased. Since the first wife of petitioner's husband was alive at the relevant time, the petitioner was held not entitled to family pension in terms of the CCS Pension Rules, 1972.

Learned counsel for the petitioner submits that the petitioner was also the legally wedded wife of the deceased and that two daughters and a son were born from their wedlock. Petitioner's name is registered as a nominee for the family pension and other retirement benefits. Smt. Purna Vati, the first wife of petitioner's late husband, expired on 15.07.2026. Learned counsel for the petitioner submits that, in view of the facts and circumstances of the case, the petitioner is entitled to family pension in view of ***Urmila Devi vs State of Himachal Pradesh & Others***[3], ***State of H.P. & Anr. Vs. Urmila Devi & Anr***[4] and ***Umawati Vs. HPSEB & Ors.***[5]

Keeping in view above decisions, notwithstanding the order at Annexure P-3 dated 06.03.2026, this petition is disposed of with a direction to the respondents including respondent No.5 to

[3] CWP No. 6033 of 2022, decided on 30.03.2026
[4] LPA. 418 of 2026, decided on 17.07.2026.
[5] LPA No. 545/2025 decided on 25.04.2026

reconsider the case of the petitioner for grant of family pension, in accordance with law, keeping in view the decisions rendered in *Urmila Devi*[2] and *Umawati*[4]. The case shall be decided afresh within four weeks from today. The order so passed be also communicated to the petitioner. In case the petitioner is found eligible for family pension, the same shall be released to her within a further period of two weeks thereafter.

The instant petition to stand disposed of in above terms. Pending miscellaneous applications, if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

27th October, 2026(rohit)