IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.20018 of 2026

Decided on: 5th November, 2026

Shakuntla Devi **.....Petitioner**

Versus

State of H.P. and others **.....Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioner: Mr. Rajeev Sharma, Advocate.

For the Respondents: Mr. L.N. Sharma, Additional Advocate General, for respondents No.1 to 3.

Mr. Rangil Singh, Advocate, for respondent No.4.

Jyotsna Rewal Dua, Judge

Notice. Mr. L.N. Sharma, learned Additional Advocate General and Mr. Rangil Singh, learned counsel, appear and waive service of notice on behalf of respondents No.1 to 3 and respondent No.4, respectively.

2. The case set up by the petitioner is that her marriage was solemnized with Sh. Kuldeep Chand, who retired as Head Teacher from the respondent-Education Department. Sh. Kuldeep Chand had solemnized two marriages during his lifetime. First marriage was

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[1] **Whether reporters of print and electronic media may be allowed to see the order? Yes.**

solemnized by him with one Smt. Jalfi Devi, but no issue was born from the wedlock. He thereafter solemnized second marriage with the petitioner on 09.11.1997 with the consent of Smt. Jalfi Devi. Two sons were born from the said wedlock. Sh. Kuldeep Chand left for heavenly abode on 16.08.2020. On 31.08.2020, Smt. Jalfi Devi relinquished her right for family pension by swearing an affidavit before the Executive Magistrate, Kullu to the effect that the entire family pension should be sanctioned in favour of the petitioner and her two sons as they were looking after Smt. Jalfi Devi. Petitioner preferred a representation on 19.10.2020 to respondent No.4 seeking 100% family pension in her favour, however, respondent No.4 has directed respondent No.3 to grant 50% family pension plus Dearness Allowance in favour of Smt. Jalfi Devi. Vide another letter dated 05.05.2021, respondent No.4 directed the concerned authority of the respondent-Education Department for sending the relevant documents of Sh. Maan Singh S/o late Sh. Kuldeep Chand in order to release the remaining 50% family pension in his favour. Petitioner feels aggrieved by non-release of family pension in her favour.

3. Learned counsel for the petitioner submits that the petitioner is the legally wedded wife of the deceased and

two sons were born from this wedlock. In view of the facts and circumstances of the case, the petitioner is entitled to family pension in light of ***Urmila Devi vs State of Himachal Pradesh & Others***[2]***, State of H.P. & Anr. Vs. Urmila Devi & Anr***[3] and ***Umawati Vs. HPSEB & Ors.***[4]***.***

4. Keeping in view the above decisions, but without examining the merits of the matter, this writ petition is disposed of with direction to the respondents including respondent No.4 to 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], within a period of four weeks from today. The decision so arrived at shall also be 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 writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

November 05, 2026
Mukesh

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