



RSA-737-2007 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-737-2007 (O&M)

Paramjit Kaur and ors.

.....Appellants

vs.

P.S.E.B & ors.

.....Respondents

Date of Reserve: 04.02.2026

Date of Pronouncement: 18.02.2026

Uploaded on:- 20.02.2026

Whether only the operative part of the judgment is pronounced? No
Whether full judgment is pronounced? Yes

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. A.K. Khunger, Advocate
for the appellant.

Mr. H.S. Ghuman, Advocate
for respondent Nos 1 to 3.

SUDEEPTI SHARMA J.

1. The present regular second appeal is preferred against judgment and decree dated 08.09.2006 passed by learned Addl. Civil Judge (Senior Division), Bathinda, whereby the civil suit filed by the appellant was dismissed as well as appeal filed against the same was also dismissed, vide judgment and decree dated 16.01.2007 passed by learned Addl. District Judge, Bathinda.

BRIEF FACTS OF THE CASE

2 Brief facts of the case as per civil suit are that Joginder Singh was working as regular skilled worker with the respondents. He died on 28.10.1998 during his service period. The appellant-Paramjit Kaur was legally wedded wife of the deceased Joginder Singh and has three children from the lions of Joginder



Singh. Respondent No. 4-Tej Kaur was first wife of Joginder Singh but since she was not having any child, therefore, the deceased Joginder Singh with the consent of her first wife contracted second marriage with appellant No. 1. Respondent No. 4-Tej Kaur also gave affidavit to the effect that marriage between appellant No. 1 and Joginder Singh is performed with her consent.

3 Appellant No. 1 approached respondent Nos. 1 to 3 to receive the reitral benefits of deceased-Joginder Singh and also to provide employment on compassionate grounds, which was never replied. Thereafter, appellants filed civil suit, which was dismissed vide judgment and decree dated 08.09.2006 passed by learned Addl. Civil Judge (Senior Division), Bathinda. Thereafter, appeal filed against the same was also dismissed, vide judgment and decree dated 16.01.2007 passed by learned Addl. District Judge, Bathinda. Hence the present regular second appeal.

SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES

4. Learned counsel for the appellants contends that both the Courts have wrongly dismissed the civil suit filed as well as appeal filed by the appellants. He, therefore, prays that the present appeal be allowed.

5. Per contra, learned counsel for the respondents-State contends that both the Courts have rightly dismissed the suit as well as appeal filed by the appellants. He, therefore, prays that the present appeal be dismissed.

6. I have heard learned counsel for the parties and perused the whole record of this case with their able assistance.

7. A perusal of the record shows that admittedly respondent No. 4-Tej Kaur is legally wedded, first wife of Joginder Singh (since deceased) and service benefits of Joginder Singh (since deceased) were received by her. Appellant No. 1



appointment on the ground that she is legally wedded wife of deceased-Joginder Singh. Therefore, she is entitled to all the retiral benefits as well as appointment on the compassionate grounds after the death of deceased-Joginder Singh.

8 A perusal of the record further shows that it is admitted fact of appellant No. 1 that deceased-Joginder Singh solemnized marriage with her after the consent given by respondent No. 4 as she could not give birth to children. According to Hindu Law, the marriage is sacrosanct and not a contract. Further as per Hindu Law, solemnization of second marriage during the existence of first marriage is void.

9 Therefore, it has rightly been held by both the Courts that appellant No. 1 is not legally wedded wife of deceased-Joginder Singh and she is not entitled to any service benefits after the death of Joginder Singh (since deceased).

10. In view of the above, I do not find any infirmity in judgment and decree dated 08.09.2006 passed by learned Civil Judge (Senior Division), Bathinda and judgment and decree dated 16.01.2007 passed by learned Addl. District Judge, Bathinda, and the same are upheld.

11. Accordingly, the present regular second appeal is dismissed.

12. Parties are left to bear their own costs. Decree sheet be prepared

13. Pending application (s) if any also stands disposed of

(SUDEEPTI SHARMA)
JUDGE

18.02.2026

Gaurav Arora

Whether speaking/reasoned : Yes
Whether reportable : Yes