

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-3114-2006 (O&M)

SECRETARY, P.S.E.B., PATIALA

..Appellant

Versus

BHAJAN KAUR (SINCE DECEASED) THROUGH LRS. & ORS.

..Respondent

Reserved on: 05.02.2026
Pronounced on : 07.03.2026
Uploaded on : 17.03.2026

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. Saksham Dudeja, Advocate
for the appellant.

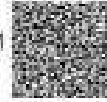
Mr. Robin Dutt, Advocate
and Mr. Kartar Singh, Advocate
for the respondents.

SUDEEPTI SHARMA, J.

1. The present regular second appeal is preferred against judgment and decree dated 14.02.2002, passed by learned Civil Judge (Junior Division), Gurdaspur, whereby, the civil suit filed by the respondent was decreed in her favour and judgment and decree dated 17.04.2006 passed by learned Additional District Judge, Gurdaspur, whereby appeal filed by the appellant against judgment and decree dated 14.02.2002 was dismissed.

BRIEF FACTS OF THE CASE

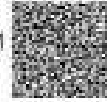
2. Brief facts of the case as per the pleadings in the civil suit are that respondent is mother of late Rajinder Singh son of Mohan Singh, who



was employed in Punjab State Electricity Board, Head Office, Patiala and was working as meter reader under the supervision of Additional Superintending Engineer, AR/Sancha Division, Dhariwal. Rajinder Singh was shot dead on 15.10.1989 by the terrorist. At that time, Rajinder Singh was unmarried and his mother i.e. respondent was dependant upon him and was also nominee of her son. She represented appellant for her entitlement to claim ex-gratia and pensionary benefits of her deceased son but appellant refused to accede to her requests and asked respondent to produce dependancy certificate, which she was unable to get from the office of Deputy Commissioner, Gurdaspur. Therefore, she filed the civil suit for mandatory injunction directing the appellant for releasing ex-gratia and pensionary benefits of her late son Rajinder Singh son of Mohan Singh, meter reader in Punjab State Electricity Board at Division Office, PSEB, Dhariwal, Tehsil and District Gurdaspur. The civil suit filed by the respondent was decreed in her favour vide judgment and decree dated 14.02.2002 passed by learned Civil Judge (Junior Division), Gurdaspur and appeal filed by the appellant against judgment and decree dated 14.02.2002 was dismissed by learned Additional District Judge, Gurdaspur vide its judgment and decree dated 17.04.2006. Hence, the present Regular Second Appeal.

SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES:-

3. Learned counsel for the appellants contends that both the Courts have wrongly decreed the civil suit in favour of respondent and dismissed the appeal filed by the appellant. He further contends that since the respondent is mother of deceased Rajinder Singh and is not dependant on



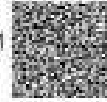
income of her son, therefore, she is not entitled to family pension or other benefits.

4. He further contends that deceased Rajinder Singh worked only for three months and the respondent was not able to produce the dependancy certificate as demanded by the appellant, therefore, she is wrongly held entitled to by both the Courts. He further contends that the civil suit filed by the respondent was barred by limitation. He, therefore, prays that the present appeal be allowed.

5. Per contra, learned counsel for respondent contends that both the Courts have rightly decreed the civil suit filed by the respondent and rightly dismissed the appeal filed by the appellant. He, therefore, prays that the present appeal be dismissed.

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

7. Admittedly, deceased Rajinder Singh son of respondent was working as meter reader in Punjab State Electricity Board. He was shot dead on 15.10.1989 by terrorist during the course of his employment. He was unmarried and respondent, who is his mother was dependant upon her son and was also his nominee. Further the appellant has not placed on record any rule as per which the mother would not be entitled to ex-gratia or family pension. And though it is the stand of the appellant that respondent-mother was not dependant upon her son (Rajinder Singh) and was dependant upon her husband, who was working as Clerk in Sugar Mill, Batala but the fact that mother was his nominee and deceased Rajinder Singh was unmarried cannot be ignored, therefore, in the absence of widow of deceased Rajinder



Singh, who was unmarried respondent would be entitled to ex-gratia and family pension.

8. Further, the appellant did not cite any rule as per which the mother is not entitled to ex-gratia payment as well as pensionary benefits of her deceased son-Rajinder Singh, who was unmarried.

9. So far as the contention of learned counsel for the appellant with respect to civil suit being time barred is concerned, the same is also rejected since respondent was pursuing with the department and the payment of ex-gratia as well as pensionary benefits is recurring cause, which cannot be denied on the ground of limitation.

DECISION

10. In view of the same, I do not find any infirmity and illegality in judgment and decree dated 14.02.2002, passed by learned Civil Judge (Junior Division), Gurdaspur and judgment and decree dated 17.04.2006 passed by learned Additional District Judge, Gurdaspur and the same are hereby affirmed.

11. Accordingly, the present appeal is **dismissed**. Parties are left to bear their own costs.

12. Decree sheet be drawn.

07.03.2026

Ayub/Sahil

**(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*