



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

CWP-37677-2025

Date of Decision : 19.01.2026

POOJA RANI

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sherry K. Singla, Advocate,
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a direction upon the respondents to release the retiral benefit dues of deceased Jaswinder Dass son of Lachhman Dass to his widow wife (petitioner), who has unfortunately died on 13.07.2025, who was posted as Junior Assistant at PWD (B&R), Patiala, alongwith interest.

2. This Court vide order dated 13.01.2026, after hearing learned counsel for the petitioner, had passed hereinafter extracted direction upon learned State counsel:-

“Without issuing formal notice, at this stage, Mr. Sahil R. Bakshi, learned Assistant Advocate General, Punjab, is directed to have apt instructions from the quarter concerned, and apprise this Court, as to how much time is required by the authorities concerned to take a final decision with regard to release of retiral benefits of the deceased husband of the petitioner.

Adjourned to 19.01.2026. ”

3. Learned State counsel, today informs this Court that there are number of steps which are required to be taken by the petitioner (wife of deceased employee) before releasing the entire retiral benefits by the authority concerned.

4. He has placed on record a table alongwith the remarks against each and every component. The same is taken on record as Mark 'A'. He submits that the components as mentioned at sr. no.1 and 2, have already been paid. He further submits that the deceased-Jaswinder Dass, husband of the petitioner has suffered a judgement/decreed against him, and in favour of one Gourav Vohra, and upon a statement having been suffered by the LRs of deceased-Jaswinder Dass (JD), vide order dated 11.09.2025, before learned executing court concerned, an amount to the tune of Rs.4,10,000/- has been ordered to be deducted from the death benefits of the deceased-Jaswinder Dass (JD), and to be directly credited in the account of decree holder-Gourav Vohra, vide order dated 07.11.2025.

5. He next submits that, today only from component at sr. no.1 and 2, they are able to make a payment of Rs.3,25,000/-, to the decree holder, and the remaining Rs.85,000/-, is yet to be paid.

6. He further submits that so far as payment against the components mentioned at sr. no.3 and 4, is concerned, the same could not be paid, as the petitioner needs to sign certain documents, for which she never came to the respondent department. The moment she signs the requisite documents, then after deducting Rs.85,000/-, rest of the retiral

amount will be paid to the petitioner.

7. He, finally, submits that the major component of payment of the retiral benefit is at sr. no.5 to 7, and all these payments are pending for the reason that the petitioner, has not given her option, whether, she is ready to opt for family pension as per Old Pension Scheme, or the New Pension Scheme. Once she gives her option, then after deducting the amount (*supra*), which is payable to the decree holder (*supra*), the retiral benefits will be released to the petitioner forthwith.

8. In view of the position, as explained above by learned State counsel, learned counsel for the petitioner, submits that the petitioner will make all her endeavours to clear all the objections as raised by the authority concerned including giving option for family pension under Old Pension Scheme or New Pension Scheme. Therefore, at this stage, this Court refrains to pass any *mandamus* upon the respondents. However, in case the petitioner clears all the objections, and gives appropriate option regarding pension scheme, the respondents, shall release all the benefits to the petitioner forthwith.

9. In case, there is any delay in releasing the retiral benefits, pension etc., the petitioner is at liberty to approach this Court again by moving appropriate motion.

10. **Disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

January 19, 2026
dharamvir

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No