



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

**CWP-38105-2025
DECIDED ON:15.01.2026**

KAMLESH AND ANOTHER

.....PETITIONER(S)

VERSUS

UNION OF INDIA AND OTHERS

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Akshat Dalal, Advocate
for the petitioners

Mr. Ramesh Chand Sharma, Advocate
for respondents/UOI

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under under Articles 226/227 of the Constitution of India for the issuance of an appropriate writ, order or direction especially in the nature of Certiorari for quashing the Impugned Order No. P.III-46/1989-16 Bn (Pension) dated 24.07.2025 (Annexure P-1) passed by Respondent No. 3, whereby the claim of Petitioner No. 1 (Smt. Kamlesh) for family pension, supported by the voluntary relinquishment of Petitioner No. 2 (Smt. Birmati), has been rejected on hyper-technical grounds of Rule 21 of CCS (Conduct) Rules and Section 11 of the Hindu Marriage Act, ignoring the customary validity of the marriage and the benevolent nature of pensionary laws.

After arguing for some time, learned counsel for the petitioners prays for withdrawal of the present petition with liberty to take other appropriate legal remedies available in accordance with law including a civil suit for adjudication with regard to the pension and the disputed fact qua the validity of marriage.

Prayer is accepted.

Dismissed as withdrawn with liberty aforesaid.

(SANDEEP MOUDGIL)
JUDGE

15.01.2025
Meenu

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