



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

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CWP-15737-2025 (O&M)

Date of decision: 07.08.2025

Bira Rani and another

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Jagdeep Jaswal, Advocate for the petitioners.
Mr. Satnam Preet Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition for setting aside the impugned order dated 06.05.2025 (Annexure P16).
2. Learned counsel submits that petitioner No.2 is the married daughter of Sh. Parkash Chand, since deceased, who was working as Chowkidar and had unfortunately passed away on 29.10.2019 on having met with an accident while he was in service. Reference is made to the judgment in the case of **Amarjit Kaur vs. State of Punjab**, CWP-2218-2017, decided on 17.01.2020 upheld by the Hon'ble Supreme Court based on which an amendment in the Instructions dated 21.11.2002 was carried out on 29.01.2024 (Annexure P9) specifying a daughter including an adopted to be a dependent family member. He, in wake of the above and by referring to **Balbir Kaur vs. State of Punjab and others**, CWP-10420-2021, decided on 24.01.2025 (Annexure P17), submits that there was no requirement to show dependency on the deceased employee and further that other ground taken to reject their claim, that petitioner No.1, widow of the deceased employee, had received pensionary benefits and her son is serving

in the Indian Navy are untenable in view of **Canara Bank and another vs. M. Mahesh Kumar**, (2015) 7 SCC 412. Since the aforesaid amendment came on 29.01.2024, the application was filed immediately thereafter on 09.02.2024, thus, there was not a gap of 2 years as alleged.

3. The aforesaid facts having been brought out, during the course of hearing, learned State counsel, on instructions from Mr. Manoj Garg, Legal Assistant, Department of Technical Education, states that the respondents would not be averse to having a relook at the matter and decide afresh, taking note of the aforesaid submissions and judgments, within a period of 4 months, uninfluenced by the order impugned in the present case, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner.

4. The aforesaid satisfies the learned counsel for the petitioners.

5. The matter stands disposed of accordingly and if the petitioners are found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same may be passed after granting opportunity of hearing to them and shall contain reasons, whereupon they shall be free to seek legal redress thereupon.

07.08.2025

ashok

**(AMAN CHAUDHARY)
JUDGE**

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