

2025:PHHC:083471-DB

LPA-1983-2025 (O&M)
Date of Decision: 11.07.2025

State of Haryana and others ...Appellants

Vs.

Neeta Rani ...Respondent

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Vivek Chauhan, Addl. AG, Haryana for the appellants.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The challenge is to the order passed by the learned Single Bench dated 28.08.2024, whereby the writ petition preferred by the widow was allowed and she was held entitled to get full family pension upto May, 2019 without any deduction and the respondents were directed to refund the amount deducted from the family pension.

2. We notice that the writ petitioner was entitled to receive half pension after the period of seven years but was erroneously released full pension. Upon realization, the same was sought to be recovered. We held that the recovery could not have been effected as directed by the learned Single Judge and the writ petitioner would be entitled to only half family pension in terms of the rules, for future. Thus, upto May, 2019, whatever has been paid, could not have been recovered. The order passed by the learned Single Judge though worded otherwise, would mean as above.

3. In view of the above, we do not find any reason to interfere with the judgment passed by the learned Single Judge. The appeal is accordingly dismissed in above terms. The refund of the amount recovered, shall be done within three months from today, failing which, interest shall be paid @ 6% per annum and the same shall be recoverable from the concerned officer who has delayed in making the refund.

4. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

11.07.2025
rajesh

1. Whether speaking/reasoned? : Yes/No
2. Whether reportable? : Yes/No