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

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CWP-148-2025

Date of Decision: 09.01.2025

Rani Devi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Rishu Mahajan, Advocate for the petitioner

Ms. Rajni Gupta, Additional Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking direction to respondents to release her GPF gratuity, ex-gratia gratuity and other pensionary benefits on account of death of her son.

2. The petitioner is widow of Ramesh Chand. Her son was working with Punjab Police who unfortunately passed away in harness. During his lifetime, a matrimonial dispute erupted and the matter reached to Family Court which passed decree of divorce. He was having one daughter. The petitioner initially claimed 100% terminal benefits on account of death of her son, however, before Civil Court, she entered into compromise with her grand-daughter. As per compromise, petitioner and her grand-daughter are entitled to equal share in the pension/terminal benefits of deceased employee. The Senior Superintendent of Police, Kapurthala, at one stage, passed order dated 10.08.2019 (Annexure P-2) whereby petitioner was declared entitled to 100% benefits. In view of the decree passed by the Civil Court, the petitioner is entitled to 50% share of terminal benefits.



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3. Notice of motion.
4. Mr. Aman Dhir, Deputy Advocate General, Punjab, who on advance notice is present in Court, accepts notice on behalf of respondent-State and waives service.
5. With the consent of both sides, the case is taken up for final adjudication.
6. Learned State counsel expressed his inability to controvert order dated 10.08.2019 passed by Senior Superintendent of Police, Kapurthala and decree passed by Civil Court, however, submits that the petitioner may be directed to submit her income certificate.
7. The son of petitioner passed away on 18.08.2018. A period of six years has elapsed still neither petitioner nor her grand-daughter has received terminal benefits of deceased employee.
8. The petitioner undertakes to submit her income certificate to the respondent within one week. The respondent-State shall release benefits to the petitioner within two months from the date of filing income certificate.
9. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

09.01.2025

Mohit Kumar

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