



Shashi Bala vs. State of H.P. & Ors.

**CWP-6386 of 2022**

23.05.2024 Present : Ms. Rekha Bansal, Advocate, vice counsel for the petitioner.

Mr. Y.P.S. Dhaulta, Mr. R.S. Verma and Mr. Dalip K. Sharma, Additional Advocates General, for respondents No.1 and 2/State.

Mr. Tek Ram Sharma, Advocate, for respondent No.3.

In the reply filed by respondents No.1 and 2, it has been admitted that petitioner's husband, late Sh. Anil Kumar, was appointed on work-charge basis as Mate (Class IV) on 19.01.1995. He died in harness on 02.10.2001. Family pension was sanctioned in favour of the petitioner in the year 2001. However, on 06.03.2009, the respondents stopped releasing the family pension in favour of the petitioner and granted the same in favour of her children, i.e. Kumari Diksha Sharma and Sh. Akshay Kumar. The office communication dated 06.03.2009 indicating this fact has been placed on record along with reply as Annexure R-1. The aforesaid office communication records that the petitioner had solemnized second marriage and this observation was offered as ground for stopping the family pension in favour of the petitioner. The reply does not indicate as to on what basis this presumption was made and whether



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any notice was ever served upon the petitioner before stopping family pension in her favour.

Learned counsel for the petitioner states that petitioner did not approach the Court earlier as her son as well as her daughter were in any case getting the family pension, however, now the younger son on attaining the age of 25 years would not get the family pension. This compelled the petitioner to move the instant petition.

Learned Additional Advocate General seeks time to obtain instructions, for stopping the family pension in favour of the petitioner.

List on 10.07.2024.

**(Jyotsna Rewal Dua)**  
**Judge**

23<sup>rd</sup> May, 2024  
(Pardeep)