

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 7293/2016

Smt Phooli Devi

-----Petitioner

Versus

Director Pension And Pension & Ors.

-----Respondents

For Petitioner(s)	:	Mr. Mahendra Singh Gurjar
For Respondent(s)	:	Mr. Shubham Gupta for Mr. Rahul Lodha, AGC Ms. Swati Daga for Mr. Alok Garg

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

Order

23/09/2025

The matter pertains to stoppage of family pension and recovery of already paid family pension.

The relevant facts in brief are that the family pension being paid to the petitioner on account of death of her husband Shri Banwari Lal, a Government Servant, was stopped by the respondents on the allegation of her re-marriage with her brother-in-law (Dewar) and recovery has been ordered for the already paid family pension.

Inviting attention of this Court towards the provisions of Rule 126 of Rajasthan Civil Services (Pension) Rules, 1996, learned counsel submits that despite her marriage with her brother-in-law, she is entitled for family pension as she fulfills the conditions laid down therein.

Despite arguing at length, learned counsel for the respondent Nos. 1 and 2 could not justify the stoppage of family pension as also recovery. In view thereof, the respondents are directed to take remedial measures for release of the family pension immediately failing which the respondent No. 1 shall file an affidavit disclosing the reason(s) for non-payment.

List the matter on 13.10.2025 at top of the list as prayed.

(MAHENDAR KUMAR GOYAL),J