
(2026) 02 P&H CK 1847

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 7875 Of 2010 (O&M)

Asha Devi

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 19-02-2026

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2026) 02 P&H CK 1847

Hon'ble Judges : Jagmohan Bansal, J

Bench : Single Bench

Advocate : Vivek Arora, Aman Dhir

Final Decision : Disposed Of

Judgement

Jagmohan Bansal, J

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking direction to respondent to release Special Ex-Gratia Grant and Group Personnel Accident Insurance of her deceased husband.

2. The petitioner's husband was part of Punjab Police. He rose through the ranks. In 1990 when he was posted as Inspector at Tarn Taran, he went missing on 09.02.1990 and could not be traced. SSP, Tarn Taran declared him dead. The death certificate was issued on 12.03.2007. The petitioner was granted compassionate appointment as Peon vide order dated 21.01.1991 in the respondent-department as well as was granted family pension. She unsuccessfully preferred representations for release of Special Ex-Gratia Grant and Group Personnel Accident Insurance of her deceased husband. She served legal notice dated 18.01.2010 upon the respondent for release of Special Ex-Gratia Grant and Group Personnel Accident Insurance of her deceased husband which was rejected vide order dated 08.04.2010.

3. Learned counsel for the petitioner submits that as per communication dated 05.12.1990 of Director General of Police (DGP), Punjab, the deceased employee

left his office on 08.02.1990. He did not join duty thereafter and a wrong entry showing casual leave from 13.02.1990 was made by SI Bhupinder Kumar. He was posted in Tarn Taran and area of Tarn Taran was badly affected with terrorism. It was infested with terrorists and extremists. The officer may have been kidnapped by suspected terrorists with intent to eliminate. In view of report dated 05.02.1990 of authorities, the petitioner was entitled to Special Ex-Gratia Grant of Rs. 2,00,000/-. She does not press her claim qua Group Personnel Accident Insurance because she is claiming Special Ex-Gratia Grant.

4. Per contra, learned State counsel submits that there is no positive and concrete evidence disclosing that petitioner's husband was actually killed by terrorists. In the absence of positive evidence, the petitioner could not be paid Rs. 2,00,000/- towards Special Ex-Gratia Grant.

5. Heard the arguments and perused the record.

6. From the perusal of record, it is evident that petitioner's husband went missing on 09.02.1990. On the said date, he had left office at 5.00 p.m. He was posted in Tarn Taran. In 1990, terrorism was at its full swing and district Tarn Taran was badly affected. It is also well known that many police officials/officers were targeted by terrorists and extremists. The petitioner was holding post of Inspector (Wireless) and as per report of DGP, he might be killed by terrorists. His dead body was never recovered, thus, presumption is in favour of petitioner.

7. In the wake of report dated 05.02.1990 of DGP, this Court finds it appropriate to direct the respondent to pay a sum of Rs. 2,00,000/- to petitioner within three months from today. The petitioner shall not be entitled to interest if aforesaid amount is paid within the aforesaid period failing which the respondent shall be liable to pay interest @ 9% per annum from the expiry of said period.

8. Disposed of in above terms.

9. Pending Misc. application(s), if any, shall stand disposed of.