

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).10536/2026
(@ SPECIAL LEAVE PETITION (C) NO. 25450/2026)

KULDEEP KAUR

APPELLANT(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

O R D E R

1. Leave granted.
2. This appeal calls in question the correctness of the judgment dated 27.01.2026 in LPA No. 1147 of 2024 passed by the High Court of Punjab and Haryana at Chandigarh.
3. The husband of the appellant was serving as an Overseer with General Reserves Engineering Force ("GREF"). He was detailed as In-charge Works for formation cutting of Hayliang-Metangliang-Chaglohagom road which had huge national and strategic importance. The construction of the road (57 km. Long) is vital for

efficient management of Sino-Indian Border. At about 12 hours on 10th July, 2000, the late Shri Mohan Singh was standing very close to the edge of the road towards the valley side supervising the dozer operation at a location having a treacherous and rocky mass. At this point, a big boulder from the hilltop started rolling with huge debris towards the dozer and compressor (which were the equipments deployed at the work). Late Shri Mohan Singh immediately spotted the boulder which was hurtling down, raised an alarm and first instructed the dozer and compressor operators to move out to a safer place. Not stopping there, he started assisting in moving the compressor and dozer equipment away from the site so that damage to the equipment could be prevented also, apart from saving the lives of other workers working on the equipment. While doing so, he alone could not get out of the way of the boulder

and got swept away by the impact and fell 70 meter deep into the valley. In recognition for this extraordinary bravery, the Government posthumously conferred on him the '*Shaurya Chakra*' on 19.10.2001.

4. On 20.12.2005, the appellant, widow of late Mohan Singh, made a representation for grant of Special Family Pension under the CCS (Extraordinary Pension) Rules, 1939. Till then, she had been paid only ordinary family pension. On 15.01.2006, her representation was rejected on the ground that payment under the Workmen's Compensation Act, 1923 to the tune of Rs.1,84,170/- had been made and hence no liberalized pensionary award was admissible to the next of kin of the deceased as per CCS (Pension) Rules, 1972. A further representation made on 09.12.2010 was rejected on 06.12.2011.

5. The appellant filed a Writ Petition being CWP No. 17048 of 2018 before the Punjab and Haryana High Court at Chandigarh on 12.05.2018. The learned Single Judge partly allowed the writ petition and granted relief from the date of filing of the writ petition. The learned Single Judge held that the appellant was entitled to extraordinary pension classifying the case of her late husband as one under category 'C' of the scheme. A direction was given to return the compensation received under the Workmen's Compensation Act along with interest @ 6% p.a. The learned Single Judge denied categorization under Category 'D' or 'E'.

6. Aggrieved, the appellant filed Letters Patent Appeal claiming for categorization under category 'E'. The respondent also filed a Letters Patent Appeal against the judgment of the learned Single Judge. The Division Bench concurred with the learned Single Judge in terms of the categorization.

Dealing with the prayer of the appellant for relief from the date of death of her husband, the Division Bench based on the order issuing notice in the writ petition whereby the counsel for the appellant had submitted that the appellant was ready to restrict the arrears up to three years from the date of filing of the writ petition, denied relief from the date of death.

7. The Division Bench ultimately dismissed the Letters Patent Appeal of the Union of India but allowed the Letters Patent Appeal of the appellant in part holding that since the appellant had herself had restricted her claim for receipt of arrears to a period of three years, it would be in the fitness of things to grant benefit in terms of the undertaking. Ultimately, the Division Bench ordered that the judgment of the learned Single Judge would be modified to the extent of benefit of arrears and interest would be computed from the date of three

years preceding the date of filing of the writ petition.

8. When this Special Leave Petition came up on 24.07.2026, we made the following order: -

“1. Delay condoned.

2. Heard Mr. Gurpreet Singh, learned Senior Counsel for the petitioner.

3. We agree with the reasoning of the High Court that the case of the husband of the petitioner is covered by category ‘C’ of the CCS (Extraordinary Pension) Rules, 1939 (for short, ‘CCS Pension Rules’).

4. We would like to examine the question whether the High Court was right in confining the relief to three years preceding the date of filing of the writ petition. We are conscious of the fact that the learned Senior Counsel for the petitioner-widow made a statement to this effect. However, considering the fact that the deceased husband of the petitioner made the supreme sacrifice of his life and he was even awarded with the ‘Shaurya Chakra’, we are prima facie of the opinion that the benefit should have been extended from the date of death.

5. We are also prima facie of the opinion the Union of India should have categorized the husband of the petitioner under the correct category ‘C’ of the CCS Pension Rules and extended the benefit, soon after his unforgotten demise.

6. These are not matters where the family or the widow should be expected to go to Court to obtain relief. The fact that they could go only after

a long period of time should in any event not come in the way of rendering justice to them.

7. Issue notice limited to this aspect, returnable on 05th August, 2026.

8. Let a copy of this petition be served upon the learned Attorney General for India.”

9. We have heard Mr. Gurpreet Singh, learned senior counsel appearing for the appellant and Mr. R.Venkataramani, learned Attorney General for India appearing pursuant to our request by order dated 24th July, 2026.

10. We are extremely happy to note that the learned Attorney General has positively responded to the situation. We also place on record our appreciation for the promptitude with which the department has also responded in this matter.

11. Learned Attorney General has handed over a note wherein it is mentioned that based on the direction of the High Court, appropriate calculations have been worked out and an amount of Rs.14,28,200/- had been released to the

appellant. Not only this, further the pension has been processed in accordance with the judgment of the High Court. We have been further informed that arrears of Extra Ordinary Pension (EOP) calculated at Rs.4,12,064/- also has been released in favour of the appellant-widow.

12. Coming to the payment of pension from the date of death of the husband of the appellant (Date of death being 12th July, 2000) to 12th July, 2015 (from which date the amounts have already been released) according to the learned Attorney General, the amount works out to Rs.6,62,268/-. Learned Attorney General fairly submits that adding 6% interest, the amount would come to Rs.8,32,000/-

13. There is one other issue which the Attorney General has highlighted, namely, that under the Workmen's Compensation Act, 1923, the appellant has received an amount of Rs.1,84,170/-. Learned

Attorney General submits that the said amount with interest works out to Rs.2,78,092/- for the period from April, 2001 to May, 2026 and hence the appellant under the Regulations has to refund a sum of Rs.4,62,262/-.

14. Mr. Gurpreet Singh, learned counsel for the petitioner, at this stage, submits that the appellant has already returned an amount of Rs.1,84,170/- which was the principal amount she received under the Workmen's Compensation Act.

15. In this background, today the question is what should be the amount payable for the period from 13th July, 2000 to 12th July, 2015. Keeping in mind the figures suggested by the learned Attorney General and considering all other facts and circumstances in mind and applying the appropriate rates of interest on the principal amount and bearing in mind the fact that the appellant has received the amounts under the

Workmen's Compensation Act and returned only the principal, we are of the opinion that a consolidated amount of Rs.10,00,000/- for the period from 13th July, 2000 to 12th July, 2015 would serve the ends of justice. We make this order in exercise of our powers under Article 142 of the Constitution of India on the peculiar facts and circumstances of this case.

16. We place on record our deep gratitude and appreciation for the prompt steps taken by the learned Attorney General.

17. We have also not confined the relief to a period of three years from the date prior to the filing of the writ petition on account of the peculiar facts of the present case and in exercise of powers under Article 142 of the Constitution of India, we have extended the benefit from the date of the death notwithstanding, the statement of the appellant's counsel. The supreme sacrifice made

by the husband of the appellant was in the performance of duty and in recognition thereafter the Government had also decorated him posthumously with the award of '*Shaurya Chakra*' the very next year. '*Shaurya Chakra*' is our country's third highest peacetime gallantry award.

18. The impugned order will stand modified to the above extent. We direct the Union of India to release the amount of Rs. 10,00,000/- to the appellant within four weeks from today.

19. With the above observations, the appeal is disposed of.

20. Pending application, if any, shall stand disposed of.

.....J.
[K.V. VISWANATHAN]

.....J.
[ARUN PALLI]

NEW DELHI;
August 5, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 25450/2026

[Arising out of impugned judgment and order dated 27-01-2026 in LPA No. 1147/2024 passed by the High Court of Punjab & Haryana at Chandigarh]

KULDEEP KAUR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 05-08-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE ARUN PALLI

For Petitioner(s) :

Mr. Gurpreet Singh, Sr. Adv.
Mr. Noor Shergill, Adv.
Ms. Anuja Pethia, AOR
Mr. Rishabh Nigam, Adv.
Mr. Mansangat Singh Kohli, Adv.
Ms. Gunjan Nahata, Adv.
Mr. Aashish Paul, Adv.

For Respondent(s) :

Mr. R.Venkataramani, AG
Mr. Shreekant N.Terdal, AOR
Mr. Abhishek Kumar Pandey, Adv.
Mr. Chitvan Singhal, Adv.
Ms. Ameya Vikram Thanvi, Adv.
Mr. Kartikey Agarwal, Adv.
Ms. Yamika Khanna, Adv.
Ms. Deboshree Mukherjee, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeal is disposed of in terms of the signed order.

3. Pending application, if any, shall stand disposed of.

(ANITA MALHOTRA)
DEPUTY REGISTRAR

(MANOJ KUMAR)
COURT MASTER

(Signed order is placed on the file.)