

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

CWP No.3318 of 2011(O&M)

Date of decision: 30.11.2015

Jai Narain and another

....Petitioners

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. R.K. Malik, Sr. Advocate with
Mr. Tejpal Dhull, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

Mr. Ramesh Malik, Advocate
for respondent No.4.

DEEPAK SIBAL, J. (Oral)

Through the present petition, the petitioners who are parents of Raj Kumar, their deceased son, seek monthly financial assistance to them instead of respondent No.4-Seema Rani, his widow.

On the death of their son Raj Kumar on 09.01.2011, the petitioners filed the present petition for the aforementioned relief in February 2011 because at that time, monthly financial assistance had been sanctioned and was being paid to respondent No.4-his widow.

It is the undisputed fact that during the pendency of the present petition, on 19.04.2015 respondent No.4 has remarried and

on happening of that event monthly financial assistance to her has been stopped. This action on the part of the respondent-State is objected to by learned counsel appearing on behalf of respondent No.4 as he claims that the same is not only illegal being in violation of the applicable Rules but also against the principles of natural justice as before such action no notice or opportunity of hearing was granted to respondent No.4.

Learned senior counsel appearing on behalf of the petitioners asserts that the monthly financial assistance being granted to respondent No.4, on her remarriage, has rightly been stopped.

Without going into the conflicting claims of either parties, in the aforementioned changed circumstances, I deem it just and appropriate to dispose of the present petition by directing respondent No.2 to reconsider the entire matter with regard to grant of monthly financial assistance to the heirs of the deceased-Raj Kumar and take a decision thereupon within three months from the date of receipt of a certified copy of this order by granting personal hearing to both the petitioners as also respondent No.4.

(Deepak Sibal)
Judge

30.11.2015
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