

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

CM No.6063 of 2015 in/and

CWP No.201 of 2015

Date of Order: 31.7.2015

Rani Davi

....Petitioner

Versus

State of Haryana and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. P.P.S Tung, Advocate for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI,J (ORAL)

C.M.No.6063 of 2015

Instant application under Order 9 Rule IV read with Section 151 CPC seeking restoration of the main writ petition bearing CWP No.201 of 2015, which was dismissed in default on 04.5.2015.

For the reasons stated in the application, which is supported by an affidavit, the same is allowed. Order dated 04.05.2015 is recalled and the writ petition bearing CWP No.201 of 2015 is restored to its original number and the same is taken up today.

CWP No.201 of 2015

By way of this petition, petitioner has claimed that the benefit of the policy of 01.8.2006 be granted to her. Husband of the petitioner had died on 11.11.2005. Petitioner was claiming a job for her son and various cases were filed by her and her son. Ultimately, the petitioner filed a writ

petition bearing CWP No.663 of 2009 with the following prayer.

- “(i) to summon the complete record of the case of the petitioner;*
- (ii) to issue an appropriate writ, order or direction especially in the issuance of an appropriate writ, order or direction especially in the nature of Mandamus directing the respondents to pay Rs.5 lacs to the petitioner as ex-gratia assistance instead of Rs.2.5 lacs as offered by the respondents as per the Haryana Compassionate Assistance to the Dependents of the Deceased Govt Employees, Rules 2005, dated 18.11.2005 issued by the Government of Haryana.*
- (iii) to issue any other appropriate writ, order or direction which this Hon'ble Court may deem fit and proper in the peculiar facts and circumstances of the case;*
- iv) filing of certified copies of Annexures may be dispensed with;*
- (v) service of advance notices upon the respondents be exempted;*
- (vi) costs of this petition be awarded to the petitioner;”*

That writ petition was decided by this Court vide order dated 12.1.2010 wherein it was held that the respondents had rightly granted her the compensation of Rs.2.5 lacs. This order has become final. Now the present writ petition has been filed claiming that in fact the petitioner should be granted the benefit of the Policy dated 01.08.2006 on the basis that some other persons had been given that benefit.

It is noteworthy that the petitioner did not disclose that she had filed the aforesaid writ petition i.e CWP No.663 of 2009 in the present case. On this ground alone, this writ petition is liable to be dismissed. Moreover, the Policy of 01.08.2006 was in vogue when the previous writ petition was

CWP No.201 of 2015

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filed but no relief was sought on that basis. Merely because now that the petitioner has been able to gather some information that some benefits have been granted to other persons would not entitle her to press this writ petition.

Dismissed.

July 31, 2015
manoj

(AJAY TEWARI)
JUDGE