

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

Civil Writ Petition No.4024 of 2015

Date of Decision: March 09, 2015

Rinku Yadav

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Mr.Aditya Yadav, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

Learned counsel appearing for the petitioner contends that the father of the petitioner died on 26.6.1994 and at the relevant point of time, as per the policy of the State, wards of the deceased were either entitled to ex-gratia or compassionate appointment.

Notice of motion.

On the asking of Court, Mr.Gagandeep S. Wasu, Addl.A.G. Haryana, accepts notice on behalf of the respondents.

Learned counsel appearing for the petitioner contents that the policy dated 31.10.1985 (Annexure P-1) would be applicable to the case of the petitioner. For the sake of brevity, the relevant portion of the policy is extracted herein below:-

“I am directed to invite your attention to the Sect. Government Letter No.16/21/84-3GSII, dated 29.11.84 on the above cited subject and to say that the State Government introduced Ex-gratia grant scheme on 22nd December 1970 for the welfare of bereaved families of deceased Government employees of the Haryana Government who die while in service. Under the scheme, the Ex-Gratia grant to be given to the families of deceased employees in equivalent to ten (10) times of the last monthly emoluments drawn by him subject to a minimum of Rs.10,000/- and maximum of Rs.25,000/-. This grant is given to assist the members of bereaved family for settling themselves. Employment to one dependent member of the deceased employee is also provided. Besides, a sum of Rs.5,000/- is also given to the dependent of a deceased Govt. employee under Group Insurance Scheme.”

Counsel for the petitioner submits that many applications have been submitted by the mother of the petitioner and widow of the deceased, but no action has been taken by the respondent authorities. In support of his contention, he has also relied upon the order dated 22.8.2008 (Annexure P-17) passed in Civil Writ Petition No.8844 of 2007 (Sheela Devi Versus State of Haryana & others), whereby the Division Bench of this Court had issued directions to the respondents to consider the claim of the similarly situated person afresh in the light of instructions/rules applicable at the time of death of the Government employee.

The present writ petition is disposed of with a direction to the respondents to consider the application/case of the petitioner in view of the ex-policies (Annexures P-1 and P-2) within a period of two months from the date of receipt of certified copy of this order and in case the petitioner is

found entitled to relief, then the ex-gratia amount may be released to him within a further period of two months.

In case the authorities consider that the case of the petitioner is not covered by the policies, then a detailed and speaking order be passed and conveyed to the petitioner forthwith in order to enable him to redress his grievance, if any.

March 09, 2015
ramesh

(AMIT RAWAL)
JUDGE