

CWP No. 8001 of 2014

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 8001 of 2014.
Date of Decision : 28.09.2015.

Savita Rana

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) *Whether Reporters of the 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. Anurag Singh Tagra, Advocate for the petitioner.

Mr. Rajneesh Chadwal, D.A.G., Haryana.

Paramjeet Singh, J.(Oral)

The instant writ petition has been filed for quashing the order dated 13.06.2013 (Annexure P-9) passed by respondent No. 2 i.e. Director, Social Justice and Empowerment Department.

Brief facts of the case are that petitioner's husband, namely, Sandeep Chauhan died in a road accident and FIR No. 347, dated 27.11.2010, under Sections 279, 304-A IPC was registered at Police Station Gangnagar, Haridwar. The State of

Haryana had floated a scheme, namely, 'Rajiv Gandhi Pariwar Bima Yojna' for grant of compensation to aggrieved persons or their legal heirs, who suffer disability, death etc. due to accident, snakebite etc. The Policy is annexed on the file at Annexure P-3. The petitioner filed claim before the authorities but the same was declined vide order dated 24.07.2012 (Annexure P-7) by the District Social Welfare Officer, Yamunanagar on the ground that the application has been moved after six months of the death of petitioner's husband. Aggrieved against that order, the petitioner preferred an appeal, which has been dismissed vide order dated 13.06.2013 (Annexure P-9) passed by the Director, Social Justice and Empowerment Department, Haryana.

Notification dated 20.03.2012 (Annexure R-1) has been issued by the State Govt., whereby it has been notified that delay can be condoned up to six months beyond the existing limit of six months in exceptional circumstances by the Financial Commissioner & Principal Secretary, Social Justice and Empowerment Department till further orders.

Since the petitioner has filed her claim after delay, the petitioner will be at liberty to convince the authorities for condonation of delay by explaining the circumstances. Accordingly, the impugned orders Annexures P-7 and P-9 are set-aside. The matter is remanded to respondent No. 3 i.e.

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District Social Welfare Officer, Yamunanagar, Haryana, who shall decide the case of the petitioner afresh expeditiously preferably within a period of six months from the date of receipt of certified copy of this order.

Disposed of.

The parties through their counsel are directed to appear before respondent No. 3 on 21.10.2015.

September 28, 2015.

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**(PARAMJEET SINGH)
JUDGE**