

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5568 of 2016**

- Madhuri Soni W/o Late Shri Ashok Kumar Soni Aged About 46 Years R/o Near Chandrakar Kirana Stores, Subhash Nagar, Durg, District-Durg, (Chhattisgarh).

---- Petitioner**Versus**

1. Chhattisgarh Rajya Gramin Bank Through Chariman/15, Recreation Road, Choubey Colony, Raipur, District-Raipur, (Chhattisgarh).
2. Chief Manager (H. R.), Chhattisgarh Rajya Gramin Bank, 15, Recreation Road, Choubey Colony, Raipur, District-Raipur, (Chhattisgarh).
3. Regional Manager, Chhattisgarh Rajya Gramin Bank, Regional Office, Plot No. 36, Street No. 1 Pushpak Nagar, Bhilai, District-Durg, (Chhattisgarh).
4. Branch Manager, Chhattisgarh Rajya Gramin Bank, Branch Office, Village Anjora, Tahsil & District-Durg, (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Anand Dadariya, Adv.
For Respondents	:	Shri NN Roy, Adv.

S. B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****06/10/2016**

Heard.

2. The petitioner is aggrieved by order dated 02-06-2016 (Annexure P/1), by which, only on the ground that the application for payment of ex-gratia amount was filed after six months, claim has been rejected.

3. Learned counsel for petitioner submits that the policy gives an impression that the ex-gratia amount will be payable in lieu of compassionate appointment, therefore, the widow of the deceased employee under the impression that the policy of compassionate appointment is in force and therefore, applied for grant of compassionate appointment to her son on 15-03-2014. The application was never

replied, but later on, she was informed that the policy of compassionate appointment is no longer in existence, therefore, the petitioner has applied for grant of ex-gratia amount.

4. Learned counsel for the respondents submits that the petitioner ought to be vigilant and sought clarification in the matter from the respondents within the time and if it has not been done, then the petitioner has to blame herself.

5. The purpose and object of payment of ex-gratia amount is to overcome financial stress of the family of the deceased employee. This kind of policy have to be applied to fulfill the object of giving financial benefit to the family of the deceased employee. The facts of the present case would show that the petitioner could not apply for payment of ex-gratia amount because she had moved an application for grant of compassionate appointment to her son and the policy (Annexure P/4) states regarding payment of ex-gratia amount that the amount of ex-gratia will be payable in lieu of compassionate appointment. Therefore, it appears that she had bonafide explanation for non-applying for ex-gratia amount within the time stipulated. Therefore, in these circumstances, it would be proper to dispose off the matter with a direction to the respondents to consider the case of the petitioner for grant of ex-gratia amount without sustaining any objection of it being filed after six months. Considering that the husband of the petitioner died on 20-12-2013, the amount of ex-gratia found due and payable, shall be paid to the petitioner at the earliest within an outer limit of three months.

6. With the aforesaid observation, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge