

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.13903 of 2007

Date of Decision:22.11.2016

Karan Pal

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present:- Ms. Minakshi Poswal, Advocate
for the petitioner.

Mr. J.S. Bedi, Addl, A.G.Haryana.

Mr. S.S. Dinarpur, Advocate
for respondent No.4

RAJIV NARAIN RAINA, J.

The petitioner was overage for compassionate appointment on the date of death of his father while in office and, therefore, not eligible for award of ex gratia employment. As such, there is no error in the impugned order dated 19.08.2015 (Annex P-8) declining the request for the aforesaid reason.

The petitioner would also not be entitled to financial assistance since his father, who was Driver in the Forest Department died on 12.12.2002, when there was a scheme in existence offering financial assistance. The first policy offering financial assistance of ₹ 2.5 Lacs was notified on 28.02.2003 known as the Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2003.

Vide the second impugned order dated 24.05.2007 (Annex P-9) the Conservator of Forests (Production Division), Ambala, declined the request for financial assistance and returned the file to the petitioner holding

that there is no provision for financial assistance of ₹ 2.5 lacs as asked for in the application dated 02.05.2007 submitted by the petitioner.

Thirdly, the petitioner has no case against the 4th respondent who was a compassionate appointee but within the age limit prescribed for government service when offered and accepted by him and therefore, the plea of discrimination fails.

For these reasons, this petition is found devoid of merit and is ordered to stand dismissed.

(RAJIV NARAIN RAINA)
JUDGE

22.11.2016
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Whether speaking/reasoned	Yes
Whether reportable	No