

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

CWP No. 13867 of 2013

Date of decision : 11.03.2016

Ganga Devi

...Petitioner

versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ram Niwas Sharma, Advocate
for the petitioner.

Mr. Keshav Gupta, AAG, Haryana

Mr. Pardeep Solath, Advocate
for respondent No. 3

RITU BAHRI , J. (Oral)

Petitioner is seeking quashing of order dated 12.02.2013 (P-9) by which request for interest on delayed payments has been turned down and further prayer is for issuance of direction to the respondents to release monthly Financial Assistance to the petitioner admissible under Ex Gratia Rules, 2006 (P-10) along with interest @ 24%, as husband of the petitioner expired on 04.12.2011 at the age of 50 years 08 months.

The husband of the petitioner joined the services under the respondents on 01.01.1978 and was completely and permanently incapacitated for further service by the Special Board of PGIMS, Rohtak

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integrity of this document

on 17.09.2008. Her husband was not paid salary from June, 2008. Subsequently CWP No. 14138 of 2011 was filed and during pendency of this petition, husband of the petitioner expired on 04.12.2011. Thereafter, respondents vide resolution dated 17.12.2011 released the salary to the petitioner i.e after the death of the husband of the petitioner and the above writ petition was dismissed as having become infructuous with liberty to file representation qua the prayer of interest. Thereafter, respondents vide order dated 12.02.2013 rejected the prayer of the petitioner with regard to interest.

During the pendency of the petition, the petitioner has been paid Rs.6,97,218/- as ex-gratia payment, vide communication dated 12.08.2015, pursuant to policy of 2006, as per which, salary for the period of 06 years and 04 months is to be paid.

In view of the above factual position, this petition at this stage is being disposed of by giving a direction to the respondent No. 3 to give interest @5% on the above said amount i.e Rs.6,97,218/- w.e.f the date of the death of the husband of the petitioner i.e 04.12.2011. Further petitioner be also given monthly financial assistance, pursuant to 2006 policy.

(RITU BAHRI)
JUDGE

11.03.2016

G Arora