

In the High Court of Punjab and Haryana at Chandigarh.

**CWP No.27447 of 2015
Decided on 05.1.2016**

Gurbachan Singh

--Petitioner

Vs.

State of Punjab and others

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr. Hemant Saini, Advocate, for the petitioner

Rakesh Kumar Jain,J: (Oral)

The petitioner has prayed for a writ in the nature of mandamus, directing the respondents to release Ex-Gratia grant sanctioned by way of the "Rehabilitation Package", as per communication dated 16.1.2006, sent by the Union Home Ministry to Chief Secretaries of various affected States.

It is submitted that the petitioner is a victim of 1984 riots who had been given Red Card on 26.7.2013. He had applied for the grant of Ex-Gratia grant of ₹2,00,000/- which has not been released to him by the respondents. However, he has fairly submitted that the Government of India, Ministry of Home Affairs, New Delhi has sent a communication dated 05.12.2012, to The Chief Secretary, Govt. of Punjab that the scheme

had been closed on 30.6.2012 and the relevant portion of that communication is as under:-

- “(i) That the Scheme had been closed as on 30.6.2012
- (ii) For any old pending application if claims have remained unsettled then close should be closed finally by 31.12.2012, and no new application (s) should be accepted for payment of compensation after 31.12.2012.
- (iii) Compensation arising out of any Court orders for which the Court case is already on, may be paid as and when Order of the Court is received”.

There is no dispute that the petitioner had applied after closer of the Scheme, therefore, he has no right to ask for Ex Gratia grant. Hence, this petition is found to be without any merit and the same is dismissed.

05.1.2016
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(Rakesh Kumar Jain)
Judge