103 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM No.10786 of 2016 in/and
CWP No.13169 of 2007 (O&M)
Date of Decision : 12.01.2017

Rajesh Kumar ..... Petitioner

versus

State of Haryana and others ..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

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Present : Mr. Deepak Sonak, Advocate
for the applicant-petitioner.

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AJAY TEWARI, J. (Oral)

CM-10786-CWP-2016

This is an application for fixing the main case to an actual date of hearing.

Notice in the application.

On the asking of the Court, Ms. Shruti Jain Goyal, Assistant Advocate General, Haryana, accepts notice on behalf of the non-applicant-respondents and states that she has no objection if the main petition is taken up for hearing even today.

Accordingly the application is allowed. Main case is taken up today itself.

CWP No.13169 of 2007

Learned counsel for the applicant-petitioner states that the father of the applicant-petitioner had died on 28.09.2001 and since the non-applicant-respondents declined to grant him compassionate appointment he filed the present writ petition. Learned counsel for the applicant-petitioner

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further states that he would not press the petition for compassionate appointment but states that relief may be granted to him as per para 3 of the preliminary objection. Para 3 of the preliminary objection is as follows :-

> *"That the Respondent Department vide letter dated 22.01.2007 (copy at annexure R-1) had offered financial assistance of Rs.2.50 lacs under 2003 Rules subject to their submitting the necessary documents. The petitioner himself failed to do the needful. However he is only entitled for Ex-gratia Financial Assistance for Rs.2.50 lac for which he is required to exercise option as well as submission of requisite document. The CWP is thus liable to be dismissed."*

Learned Assistant Advocate General has fairly stated that the applicant-petitioner would be entitled to the relief in the above mentioned paragraph.

In the circumstances, the petition is disposed of with the above terms. The non-applicant-respondents are directed to release a sum of Rs.2.5 lacs to the applicant-petitioner within a period of two months from the date of receipt of certified copy of this order, failing which the applicant-petitioner would be entitled to interest @ 6% p.a. from January 2007 i.e. the date of which the amount was offered till date.

Since the main case has been decided, the pending Civil Miscellaneous Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

12.01.2017
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No

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