

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

CWP No. 19660 of 2013 (O&M)
Date of decision : March 24, 2017

Bimla Devi

..... Petitioner

v.

State of Haryana and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. GS Sawhney, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG Haryana

Ajay Tewari, J (Oral)

Husband of the petitioner died on 2.9.2005. At that time, she sought appointment on compassionate ground for her son who was to attain majority in 2008. However, after he attained majority it transpired that he was not qualified for the post of Constable. The respondents offered her ₹ 2.5 lacs but she did not accept that and filed the present writ petition.

Counsel for the petitioner has fairly stated that in view of the decision in Union of India and others v. Sima Banerjee (Civil Appeal No.251 of 2017, decided on 10.1.2017), it would not be possible for the petitioner to now seek appointment on compassionate ground but the fact remains that the case was considered in the year 2008 after her son became major and it was found that he was not eligible and consequently the respondents were bound to offer her the options as envisaged under 2006

Rules but in the present case only offer of ₹ 2.5 lacs was made to the petitioner without giving her option to seek monthly assistance.

Learned AAG Haryana has fairly accepted that the offer made to the petitioner was only for ₹ 2.5 lacs and the second option was not made to her.

In the circumstances, I deem it appropriate to accept the limited prayer made by counsel for the petitioner and direct that in case the petitioner now gives an option within one month from the receipt of a certified copy of this order, due benefit be released to her within a period of two months thereafter, failing which she would be entitled to get the amount/s with interest @ 12% pa from the date/s the amount/s fell due.

Petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

March 24, 2017
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No