

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

**CWP-19040-2015 (O & M)
Date of decision: 03.08.2017**

Parhlad

....Petitioner

V/s

State of Haryana and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ajay Vijarania, Advocate, for the petitioner.

Mr. Rohit Arya, AAG, Haryana.

Mr. Sanjeev Kodan, Advocate, for respondent No.2.

Rajan Gupta, J. (Oral)

Present petition has been filed by the petitioner seeking a writ in the nature of mandamus directing the respondents to release the claim of the petitioner under the Rajiv Gandhi Bima Yojna.

Son of the petitioner died in a road accident on 13.11.2011. Petitioner raised a claim for grant of Rs.1 lac in terms of Rajiv Gandhi Bima Yojna. As no action was taken, he filed instant writ petition before this court. During the pendency of the petition, Deputy Commissioner, Bhiwani, passed an order rejecting the claim of the petitioner on the ground that the same was delayed having been filed after expiry of 06 months of death of petitioner's son. During the course of hearing, learned counsel for the petitioner has pointed out that claim was raised immediately and was recommended by the Patwari as would be clear from perusal of document,

CWP-19040-2015 (O & M)

::2::

same. Thus, it be remitted to the Deputy Commissioner, Bhiwani, afresh.

This prayer is not opposed by the State counsel.

Under the circumstances, order, Annexure R-2, passed by Deputy Commissioner, Bhiwani, is hereby set aside. Matter is remitted to him for a decision afresh after taking into consideration the document, Annexure P-5 and affording an opportunity of hearing to the petitioner. Needful be done at the earliest, in any case, not later than 03 months.

Writ petition is allowed in these terms.

August 03, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No