

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

201

**CWP-5974-2011 (O&M)
Date of decision:01.06.2017**

Dinesh Kumar

....Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Gurpreet Jayia, Advocate for
Mr. Jagdish Manchanda, , Advocate for the petitioner.

Mr. R.K.Doon, AAG, Haryana.

P.B. Bajanthri, J. (Oral)

Mr.P.P.Bhejvad, PCCF, is present in the court. Petitioner's grievance is relating to entitlement of compassionate appointment on account of petitioner's father's death on 09.12.1999. Petitioner's grievance was pending consideration as on the date of rules relating to compassionate appointment and financial assistance vide notification dated 01.08.2006. Petitioner is not entitled for compassionate appointment on the ground of delay and laches on the part of the petitioner in claiming for compassionate appointment. Even though cause of action accrues to the petitioner in the year 2007 when petitioner was subjected to physical examination relating to

consideration of petitioner's appointment. Thereafter, no action has been taken either of the parties. In view of the above facts and circumstances, petitioner is not entitled for compassionate appointment.

2. Petitioner is entitled for financial assistance with reference to Rule 6 of the Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006 issued on 01.08.2006. The concerned respondent-Head of the Department has not taken any action to extend the financial benefits under 01.08.2006 notification. Therefore, 2nd respondent - Principal Chief Conservator of Forest Haryana, is hereby directed to extend financial benefits to the petitioner under the notification dated 01.08.2006 relating to compassionate appointment and financial assistance in particularly under Rule 6. Petitioner is also entitled for interest on belated settlement of financial assistance under 2006 Rules. The interest shall be calculated during the period from 01.12.2006 to till payment is made @ 9% per annum. The financial benefits as well as interest shall be calculated and disbursed within a period of one month from today.

3. CWP stands disposed of.

01.06.2017

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No