

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

CWP No.22643 of 2013

Date of Decision:26.04.2017

Megha

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

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

Mr. Sushil Gautam, D.A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

Grievance of the petitioner is for compassionate appointment as well as ex gratia benefit on account of the death of his father on 3.5.1999 when he was working as a clerk. As on the date of filing of this petition on 9.10.2013, official respondents have extended the benefit of financial assistance to the tune of Rs.2.5 lacs to the petitioner.

Learned counsel for the petitioner pointed out that provisions of the Haryana Compassionate Assistance and Employment to the dependents of deceased Government employees Rules 2005 (for short “2005 Rules”) provides for financial assistance to the tune of Rs.5 lacs. The same has not been extended. On the contrary, Rs.2.5 lacs has been extended with reference to the earlier rules of 2003 which provides for financial assistance to the tune of Rs.2.5 lacs. As on the date of commencement of 2005 Rules, petitioner's grievance relating to extending the benefit of compassionate appointment or financial assistance was pending consideration, therefore, grievance of the petitioner is required to be considered under Rule 6 (4) of 2005 Rules.

Accordingly, concerned respondent is hereby directed to re-consider the petitioner's claim for financial assistance with reference to Rule 6 (4) of 2005 Rules. The said decision is required to be taken by concerned respondent by passing a speaking order within a period of three months from today. If the petitioner is entitled for Rs.5 lacs assistance, the same be disbursed alongwith interest @ 8% per annum on the entire amount of Rs.5 lacs. In case petitioner is entitled to only Rs.2.5 lacs then also petitioner is entitled to interest @ 8% per annum from 1.1.2000.

Petition stands disposed of accordingly.

26.04.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**