

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

**CWP No.9569 of 2010**

**Date of Decision:26.04.2017**

Sunita Devi

... Petitioner

Vs.

State of Haryana and others

... Respondents

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

Present : Mr. S.S. Mor, Advocate for the petitioner.

Mr. Keshav Gupta, A.A.G. Haryana.

**P.B. BAJANTHRI J. (Oral)**

The petitioner is wife of the deceased late Shri Dharamraj. Deceased Shri Dharamraj was appointed as a driver on 19.8.2002 and he died on 10.12.2009. Juniors to the deceased Shri Dharamraj whose services have been regularized on 25.1.2008 w.e.f. 26.7.2007 i.e. prior to his death.

The respondents submitted that deceased Shri Dharamraj while he was in service was facing parallel proceedings arising out of Motor Vehicle Accident. Both the proceedings have not concluded either in favour of deceased Dharamraj or against him. Late Shri Dharamraj died on 10.12.2009. Thus, both the proceedings are abated. Consequently, late Shri Dharamraj is deemed to be entitled for regularization from the date of juniors' regularization w.e.f. 26.7.2007. Accordingly, order dated 12.4.2010 (Annexure P-4) passed by respondent No.3 is hereby set aside. The petition stands allowed. The respondents are directed to consider the case of deceased late Shri Dharamraj for the purpose of regularization from the date when his juniors were regularized w.e.f. 26.7.2007 and extend all the monetary benefits to the petitioner who is wife of the deceased-Shri Dharamraj. The above exercise shall be completed by the respondents

within a period of three months from today.

26.04.2017  
rajeev

(P.B. Bajanthri)  
Judge

Whether speaking/reasoned                      Yes/No

Whether reportable                                      Yes/No