

**CWP No. 17998 of 2017
DECIDED ON: AUGUST 16, 2017**

RAMESHO

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sukhdeep Parmar, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought for issuance of a writ in the nature of mandamus directing the respondents to release the arrears of pay of the deceased Bhira (husband of the petitioner) w.e.f. April 01, 2011 i.e. the date when he was ordered to be regularized vide order dated November 30, 2012 (Annexure P-2) till the date of his death i.e. August 29, 2012 and financial assistance as per Haryana Compassionate Assistance to the dependants of the deceased Government employees, Rules 2006 and also the arrears of other pensionary benefits alongwith 18% interest.

It has been *inter-alia* contended by learned counsel for the petitioner that the services of her husband namely Bhira were regularized vide order dated November 30, 2012 (Annexure P-2) w.e.f. April 01, 2011 but he was taken

away by nature on August 29, 2012. Petitioner repeatedly visited the office(s) but till date the benefit accrued to her husband on account of his regularization w.e.f April 01, 2011 has not been given to her. Even, a legal notice dated March 09, 2017 (Annexure P-5) was also served upon the respondents but neither reply nor any action has been taken so far.

Accordingly, instant petition is disposed of with a direction to respondent No.3 to look into the grievance unfolded by the petitioner in her legal notice dated March 09, 2017 (Annexure P-7) and to decide the same in accordance with law by passing a speaking order, that too, by giving a patient hearing to the petitioner, within a period of two months from the date of receipt of certified copy of this order. If respondent No.3 comes to the conclusion that petitioner is entitled to the benefits claimed by her the same shall be released to her immediately. However, if the petitioner still feels aggrieved by any order passed by respondent No.3, she shall be at liberty to approach this Court. Respondent No.3 shall also consider the grant of interest on the delayed payment.

AUGUST 16, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*