

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

LPA No.1342 of 2017 (O&M)

Date of Decision : 26.09.2017

State of Haryana and others

....Appellants

Versus

Saroj Rani

...Respondent

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI**

Present : Ms.Kirti Singh, DAG, Haryana.

...

MAHESH GROVER, J. (Oral)

The appellants are aggrieved of the following directions :-

“In the circumstances, though the prayer for compassionate appointment is rejected yet the respondents are directed to now consider the case of the petitioner for ex-gratia compensation as per the 2006 policy. The petitioner would have to exercise her option of getting either a lump sum amount or monthly assistance. Let the needful be done and the ex-gratia compensation be paid to the petitioner and her son in equal share within a period of one month from the date of receipt of a certified copy of this order, failing which, the petitioner and her son would be entitled to claim the same with interest @ 8% per annum from today.”

It has been stated before us that financial assistance of Rs.2.5 lacs was given to the respondent way back in the year 2008 but still the amount is lying in the Government account and has not been

withdrawn by the respondent.

We do not find such assertion being made before the learned Single Judge, therefore, there is no need to clarify the order.

It has been stated that the family pension has been given to the respondent. We, however, notice that the learned Single Judge has not observed on this aspect and therefore, we fail to understand the grievance of the appellants. If it is their case that on account of grant of family pension, the respondent is not entitled to lump sum compensation of Rs.2.5 lacs, then no such rule has been shown to us that would disentitle the respondent to this claim. Even otherwise the benefit of family pension would be totally independent of the ex-gratia compensation.

Apart from this, the appeal is also barred by an inordinate delay of 105 days which we do not intend to condone in the absence of any plausible explanation.

Dismissed.

(MAHESH GROVER)
JUDGE

26.09.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No