

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.938 of 2017 (O&M)

Date of Decision: 31.05.2017

Rajesh Kumar

... Appellant

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE HARI PAL VERMA

Present: Mr. Keshav Pratap Singh, Advocate for the appellant

SURYA KANT, J. (Oral)

(1) The appellant lost his father who was working as JBT teacher on 03.02.1990. The appellant was minor at that time. The deceased left behind three children and his wife. The elder brother of the appellant attained majority in the year 1998 and applied for appointment under the *ex gratia* scheme. His claim was not accepted. The appellant thereafter attained majority in the year 2000 and based upon his Matric qualification, he applied on 27.07.2000. His claim too was not accepted which eventually led to filing of the writ petition in the year 2009.

(2) Learned Single Judge though declined to entertain his claim but has disposed of his writ petition with a direction to the authorities to consider the appellant's claim for grant of financial assistance as per the 2006 Rules formulated by the State of Haryana. In our considered view, no direction for appointment of the appellant under the *ex gratia* scheme can be issued at this juncture. Neither, there are mitigating circumstances nor the present scheme of Rules permits such appointment.

(3) No case to interfere with the order of learned Single Judge is made out.

(4) Dismissed.

**(Surya Kant)
Judge**

31.05.2017

vishal shonkar

**(Hari Pal Verma)
Judge**

1. Whether speaking/reasoned?
2. Whether reportable?

**Yes
No**