

**CM No.14394 of 2017 in/and
RA No.453 of 2017 in
CWP No.1379 of 2010**

Daya Rani vs. State of Haryana and others

Present : Mr.Sunil K.Nehra, Advocate for applicant/petitioner

Mr.Ripu Daman, AAG, Haryana

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Notice of the application under Section 5 of the Limitation Act,
1963 and Review Application.

Mr.Ripu Daman, AAG, Haryana accepts notice on behalf of
State of Haryana.

CM No.14394-2017

This is an application for condonation of delay of 285 days in
filing the review application which is supported by an affidavit.

For the reasons recorded in the application, CM is allowed.
Delay of 285 days in filing the review application is condoned.

RA No.453 of 2017

I have heard learned counsel for the parties.

Appointment letter (Annex. P-1) had been offered to the
petitioner in 2005 which could not fructify despite multiple layers of
litigation, none of them adverse to her interest, but time was spent in disposal
of the applications with directions to the department to decide representation.
The death had occurred in 2004 and the case remained undecided both on
compassionate appointment and financial assistance on the date the Haryana
Compassionate Assistance to the Dependents of Deceased Government
Employees Rules, 2006 (Annx. A3) came into force and accordingly, whether
the case can be processed in terms of the formula adopted under Rule 6 of
2006 Rules is arguable. Furthermore, the reason which persuades me to recall
my order is that the order was passed without hearing the petitioner as

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none was present on her behalf, and therefore, I had given liberty to the petitioner that if she has any further grievance, she is free to apply for the revival of her case. For these reasons, the order impugned in the review application requires to be reviewed.

Accordingly, the review application is allowed. The order dated 22.11.2016 passed by this Court is recalled and the writ petition is restored to its original number to be heard on merits.

List the writ petition as per Roster.

**(RAJIV NARAIN RAINA)
JUDGE**

12.10.2017
MFK