

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

**C.O.C.P. No. 3599 of 2017 (O&M)
Date of Decision: 01.05.2018**

Bhale Ram

..... Petitioner

Versus

Dr. K.K. Khandelwal, Secretary, Elementary Education
Department, Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Ms. Jaideep Kaur, Advocate for
Mr. J.S. Thind, Advocate
for the petitioner.

Mr. D.K. Mittal, Deputy Advocate General, Haryana
for the respondent(s).

JASWANT SINGH, J. (ORAL)

Munni Devi had filed a writ petition bearing CWP No. 7930 of 2012 seeking mandamus to the respondents to release the amount of monthly pay as compassionate assistance under the Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006, on account of death of her husband-Dilbagh Singh, who was a JBT Teacher and died on 14.10.2006. However, on 02.08.2009, Munni Devi was remarried.

Thereafter, parents of the deceased filed a Civil Suit RBT No. 76 of 02.01.2015 seeking declaration to the effect that with effect from the date of remarriage of Munni Devi, she could not be granted the assistance and in fact, mother of deceased would be entitled for the same. Upon notice of the civil suit, the official respondents stopped to

make the payment of Compassionate Assistance to Munni Devi, leading her to file the aforesaid writ petition bearing CWP No. 7930 of 2012.

The aforesaid writ petition bearing CWP No. 7930 of 2012 as well as the civil suit both had jointly been disposed of by this Court vide order dated 28.02.2017 (**Annexure P-1**), dismissing the writ petition, while the civil suit is decreed to the extent that Bhale Ram (respondent No. 6 therein) would be entitled to the financial assistance under the 2006 Scheme from the date of remarriage of Munni Devi.

Since the action had not been taken by the respondents nor had paid the compassionate/financial assistance, therefore, present contempt petition was filed.

At the time of hearing, learned State Counsel states that in compliance of the order dated 28.02.2017 (**P-1**), the office of Director Elementary Education, Haryana, Panchkula, vide its letter dated 30.04.2018, has accorded sanction for payment of monthly financial assistance to the petitioner under the provisions contained in the Haryana Compassionate Assistance to the Dependents of the Deceased Government Employees Rules, 2006. A copy of the aforesaid letter dated 30.04.2018 submitted by the State Counsel is taken on record, copy of which is also endorsed to the petitioner.

In view of above, learned State Counsel states that nothing more survives in the present contempt petition, as the same has become infructuous.

Disposed of as infructuous.

However, in case the petitioner still has any grievance, he is free to seek the revival of the present contempt petition within eight weeks from today.

May 01, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>