

CWP No.16674 of 2015 (O&M)

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

Sr. No.222

CWP No.16674 of 2015 (O&M)
DECIDED ON: February 14, 2018

DARYAO SINGH

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sanjiv Gupta, Advocate,
for the petitioner.

Mr. Charanjit Singh Bakshi, Additional Advocate General,
Haryana.

JASPAL SINGH, J.

Challenge through the instant civil writ petition is to the order dated March 09, 2015 (P-6) passed by the Director General, Elementary Education, Haryana, Panchkula, vide which, claim raised by the petitioner for grant of family pension along with other ex gratia benefit(s) accrued on account of the demise of his son Lal Singh has been declined AS WELL AS for the issuance of a writ in the nature of mandamus directing the respondents to grant the family pension, ex gratia and other retiral dues along with interest @ 12% per annum to the petitioner.

2. At the time of issuance of notice of motion, learned counsel for the petitioner gave up his claim so far as the grant of family pension is concerned and the notice of motion was only issued with regard to other relief(s) vide order dated August 13, 2015.

3. In response to notice of motion, respondents have filed short reply. Para nos.4 & 5 of reply are relevant for the disposal of the instant petition, which are reproduced ut infra:-

“4. That in terms of Haryana Government Circular No.16/84-86-GS-II dated 25.03.1987 ex gratia grant of rupees 25000/- was sanctioned to the petitioner vide order dated 25.04.2013, copy of which is annexed as Annexure R-1.

5. That as per the information received from Block Education Officer, Hodal all other benefits except payment of pension for 19 months has been paid to the grand sons of the petitioner and sons of Late Sh. Lal Singh, detail of which is as under:-

<i>Sr. No.</i>	<i>Discription</i>	<i>Amount</i>	<i>Bill No.</i>	<i>Dated</i>
1	GPF	548959/-	321/13	06/02/13
2	GPF	42000/-	252/13	20.12.2013
3	EL	119866/-	254/13	20.12.2013
4	GIS	30000/-	202/12	24.09.2012
5	GIS	23258/-	203/12	24.09.2012

*A copy of the letter No.5057/16 dated 31.05.2016 received from Block Education Officer, Hodal is annexed as **Annexure R-2 & R-2/T.**”*

4. A bare look upon the aforesaid paragraphs makes it crystal clear that ex gratia grant to the tune of Rs.25000/- has already been sanctioned to the petitioner much prior to the filing of the instant petition i.e. vide order dated 25.04.2013. As far as other benefits are concerned, the same have already been released to the grandsons of the petitioner and sons of late Sh.Lal Singh, who died during his service. The retiral benefits have

already been disbursed to the persons who are entitled to it i.e. the sons of deceased Lal Singh. Thus, instant petition has rendered infructuous. Accordingly, it stands dismissed.

5. No order as to costs.

February 14, 2018

Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No