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

**CWP No.24651 of 2017
Date of decision:24.04.2018**

Bhateri Devi ...Petitioner
Versus
State of Haryana and others ...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sandeep Takhan, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Rakesh Kumar Jain, J.

The petitioner is aggrieved against the order dated 30.11.2012 passed by the Deputy Commissioner, Bhiwani, by which her application for grant of ₹1 lac on account of the death of her son Sombir in a road accident in terms of the scheme called Rajiv Gandhi Pariwar Bima Yojna (hereinafter referred to as the "Scheme") notified by the State of Haryana on 30.08.2011, has been declined on the ground that the application has been received after the period of six months.

Shorn of unnecessary details, the petitioner has claimed the grant under the Scheme on account of death of her son in a road accident. The petitioner was found fully eligible but her application was found to have been received after the due date.

Counsel for the petitioner has submitted that the petitioner is an illiterate lady who could not approach the authorities well within time to receive the benefit under the Scheme, which is otherwise a social welfare scheme. In this regard, he has relied upon an order passed by this Court in the case of **Ajmero vs. State of Haryana and others**, CWP No.25293 of 2012, decided on 12.03.2014, in which a similar controversy was involved and this Court, while allowing the writ petition, issued direction to immediately recommend the case of the petitioner therein for the grant of benefit under the Scheme within a period of two weeks from the date of receipt of certified copy of the order and also burdened the State with the cost of ₹15,000/-, which was ordered to be paid to the petitioner.

In reply, the respondents have taken the same stand, which has been taken in the impugned order that the son of the petitioner had died on 23.05.2009, whereas the application for releasing the benefit under the Scheme was moved on 04.03.2011, after the expiry of one year and six months.

After hearing learned counsel for the parties and taking into consideration the facts and circumstances of the present case, much-less the fact that the scheme is made for the benefit of the persons whose gross income from all sources do not exceed ₹2,50,000/-, I am of the considered opinion that the denial of the benefit under the Scheme only on the ground of limitation is not justified especially when the applicant is an illiterate lady.

Thus, I am in full agreement with the decision rendered by this Court in **Ajmero's case (supra)** and hence, the present petition is hereby allowed, impugned order dated 30.11.2012 is set aside with a direction to the respondents to immediately recommend the case of the petitioner for the grant

of benefit under the Scheme within a period of two months from the date of receipt of certified copy of this order and send the compliance report to this Court. The respondent-State is also burdened with the costs of ₹15,000/-, which shall be paid to the petitioner.

April 24, 2018
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(Rakesh Kumar Jain)
Judge

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