

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(127)

CWP No. 29283 of 2018
Date of Decision : 20.11.2018

Darshana Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amardeep Hooda, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

The present writ petition has been filed by the petitioner for grant of interest on the delayed payment of financial assistance under Haryana Compassionate Assistance Rules, 2006.

Learned counsel for the petitioner states that the petitioner had approached this Court earlier for the grant of monthly financial assistance under the Haryana Compassionate Assistance Rules, 2006. The said claim was allowed by this Court vide order dated 14.05.2012. While allowing the said benefit, even the consequential benefits were allowed to the petitioner. Learned counsel further contends that the said order was implemented and the payment was made only in the year 2017. Hence, even though the interest was not granted by this Court while deciding CWP No. 19322 of 2010, still the petitioner will be entitled for the interest as the payment was made after approximately five years of the passing of the said order. Hence, the petitioner restricts her claim for interest from 14.05.2012 onwards.

Further, learned counsel for the petitioner states that for the grant of interest,

the petitioner has served the respondents with a legal notice dated 18.04.2018 (Annexure P-4) and the same has not been decided so far. Learned counsel states that the petitioner will be satisfied, in case a time bound direction is given to the respondents to decide her legal notice dated 18.04.2018 (Annexure P-4) sent to the respondents.

Without expressing any opinion on the merits of the case, the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 18.04.2018 (Annexure P-4) of the petitioner by passing a speaking order in accordance with law within a period of three months from the date of receipt of certified copy of this order.

In case, the respondents found that the petitioner is entitled for the interest from May, 2012 onwards, the same will also be granted within a further period of three months.

The petition stands disposed of accordingly.

November 20, 2018
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*