

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

Date of decision: 09.02.2018

CWP No.2965 of 2018

Babita Rani

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. S.K.Malik, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

In the earlier writ petition bearing CWP No.8373 of 2016 titled 'Babita Rani Vs. State of Haryana & others', no interest was demanded on the monthly assistance under the Ex-gratia policy dated 01.08.2006 for which the respondents had sought option from the petitioner on 26.07.2007 and such an option was exercised on 01.08.2007 claiming the compassionate grant. That writ petition was allowed by order dated 10.05.2017 and the petitioner has been granted the monthly assistance as per the formula in the policy, but interest was not granted obviously because it was not prayed for.

The exclusive claim for interest made in this petition is barred by Order 2 Rule 2 of the CPC since it was not claimed in the earlier petition while it could have been. The claim is deemed to be given up.

Consequently, no ground for interference is made out in this petition and the same is ordered to stand dismissed.

09.02.2018
Vimal

**[RAJIV NARAIN RAINA]
JUDGE**

Whether speaking/reasoned:
Whether Reportable:

Yes
No