

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

**LPA No. 1361 of 2018 (O&M)
Date of decision: 16.11.2018**

Joginder Singh

... Appellant

Versus

The State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Ravi Kant, Advocate,
for the applicant-appellant.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

CM-3689-LPA-2018

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the delay of 156 days in re-filing the accompanying appeal is condoned.

Application stands disposed of.

CM-3690-LPA-2018

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the delay of 104 days in filing the accompanying appeal is condoned.

Application stands disposed of.

LPA No. 1361 of 2018

This intra-court appeal, under Clause X of the Letters Patent, is directed against the orders and judgment dated 3.10.2017 and 15.1.2018, passed by the learned Single Judge, dismissing the writ petition filed by the appellant, denying him the benefits admissible to the dependents of Ex-servicemen.

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Admittedly, the appellant-petitioner is working on contractual basis for the last more than 10 years with Haryana Vidut Prasaran Nigam Limited. The policy dated 1.12.2003, which was being relied upon by the appellant in the writ petition, clearly provides that the benefit is liable to be extended to such dependents of the Ex-servicemen whose total income does not exceed ₹6,000/- per month, whether from agriculture, trade, property or any other bank balance etc.

Upon a specific query made by the learned Single Judge, it was admitted on behalf of the petitioner-appellant that his earning was more than ₹6,000/- per month even at the time when he applied for the post in question.

Since it is an admitted case of the appellant-petitioner that his income was more than ₹6,000/- per month, it is obvious that he cannot be considered to be a dependent of an Ex-serviceman, and thus, was ineligible. There appears to be no illegality committed by the learned Single Judge in dismissing the writ petition on the abovesaid ground.

The appeal is devoid of merit and accordingly stands dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

November 16, 2018

AK Sharma

Whether speaking / reasoned:

YES

Whether Reportable:

NO