

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-19205 of 2019

Date of decision: 17.07.2019

Ram Chand

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J. .

In the present writ petition, the grievance which is being raised by the petitioner is that though the dismissal of the petitioner from service on account of misconduct, has already attained finality, but, the respondents were liable to consider his case for the grant of compassionate allowance keeping in view Rule 2.5 of the Punjab Civil Service Rules, Volume II, according to which in the special cases, a compassionate allowance not more than 2/3rd of the pension which the employee would have got, can be given by the State. Counsel for the petitioner argues that case of the petitioner under said rule has never been considered by the respondents so far, despite the fact that the petitioner had served upon the respondents a legal notice dated 24.12.2018 (Annexure P/7) which is still pending consideration with the respondents Counsel for the petitioner states that petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the case of the petitioner for grant of compassionate allowance in the light of Rule 2.5 of the Punjab Civil Service Rules, by passing a speaking order

within a period of three months from the date of receipt of a certified copy of this order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 24.12.2018 (Annexure P/7) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

17.07.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |