

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 28462 of 2017  
Date of Decision : 01.05.2019

Kavita

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Ms. Suman Bishnoi, Advocate for  
Mr. Neeraj Kumar, Advocate for the petitioner.

Ms. Nidhi Garg, A.A.G., Haryana.

Mr. Charanjit Singh Bakhshi, Advocate  
for respondents No. 2 to 5.

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**Harsimran Singh Sethi, J.(Oral)**

In the present writ petition, claim of the petitioner is for quashing the order dated 08.07.2010 (Annexure P-6) by which benefit of monthly financial assistance was declined to the petitioner.

As per the facts mentioned in the writ petition, husband of the petitioner was appointed as a Shift Attendant in Dakshin Haryana Bijli Vitran Nigam Limited. While working as such, unfortunately, he died on 28.12.2008. Husband of the petitioner died while discharging the official duties though in a road accident. After the death of the husband of the petitioner, a claim was made by the petitioner for the grant of benefits to her under the Haryana Compassionate Assistance to the Dependents of

Deceased Govt. Employees Rules, 2006 (hereinafter referred to as '2006 Rules'), which was rejected by the respondents by the impugned order dated 08.07.2010 (Annexure P-6), which order has been challenged in the present writ petition.

Upon notice of motion, a short reply has been filed on behalf of respondents No. 2 to 5 in Court today and a copy of the same has been given to learned counsel for the petitioner. In the reply, the respondents have stated that the case of the petitioner for the grant of benefits under 2006 Rules has been re-considered and an order has been passed on 15.02.2019 granting the benefits to the petitioner. Short reply filed on behalf of the respondents is as under:-

*“1. That it is respectfully submitted that the present petition has been rendered infructuous as the relief sought by the petitioner has already been granted to her. The case of monthly finance scheme has been sanctioned by the answering respondents vide Order No. 7 dated 15.02.2019. A copy of the same is attached as Annexure R-2/1.*

*2. That accordingly the payment of monthly finance to the family of the deceased employee i.e. the petitioner has been made by the respondents vide cheque number 043158 dated 11.03.2019 amounting to Rs. 19,29,576/- for the period i.e. from the date of death of the husband of the petitioner- 28.12.2008 to 31.01.2019 and it is being paid continuously on monthly basis. A copy of the Cheque is attached as Annexure R-2/2.*

*It is, therefore, respectfully prayed that the present petition be disposed of as having been rendered infructuous in the interest of justice and fair play.”*

Keeping in view the above, the present writ petition has been

rendered infructuous and is being disposed of as such.

Learned counsel for the petitioner prays that as the reply has been filed in Court today, she has not been able to contact the petitioner to ascertain as to whether the benefits have already been received as stated in the reply. She prays for liberty to revive the petition in case it is found that the benefits as stated by the respondents in the reply have not been extended to her.

Liberty is granted.

The present writ petition is disposed of having been rendered infructuous subject to the liberty mentioned above.

**May 01, 2019**  
*kanchan*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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