

CWP-14357-2016

Date of decision : 21.01.2020

SUNITA

.... Petitioner

Versus

INDIAN RED CROSS SOCIETY

HARYANA STATE BRANCH AND ORS

.... Respondents

Before: Hon'ble Mr. Justice B.S.Walia.

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

Ms. Nupur Choudhary, Advocate and Mr. Jivesh Malik,
Advocate for the respondents.

B.S. Walia, J. (Oral)

[1] Learned counsel for the respondents state that the petitioner's husband died in the year 2014 whereas the Service Rules for District Red Cross Branches, Haryana providing for ex-gratia payment in case of death of an employee during service as per Haryana Government Ex-gratia Rules were enforced w.e.f. 27.02.2017 only and that there were no Rules in force in respect of grant of ex-gratia prior thereto. However, in case if the petitioner so desires, her claim for appointment on compassionate grounds can be considered by the competent authority on the same analogy/lines as was done in the case of Sh. Yogeshwar Rakesh Dahiya who was appointed as Assistant Secretary in District Red Cross Branch, Faridabad on compassionate grounds.

[2] The same satisfies learned counsel for the petitioner who states that he would submit a representation for grant of appointment on

compassionate basis within a period of four weeks from today and the writ petition be disposed of by directing the respondents to consider and decide the claim of the petitioner for grant of compassionate appointment in accordance with law in a time bound manner.

[3] Without commenting upon the merits of the claim or the entitlement of the petitioner to the relief claimed, the writ petition is disposed of by granting liberty to the petitioner to submit a representation for grant of compassionate appointment to the respondents which would be placed before the competent authority on receipt and a decision in respect thereto taken on the same in the light of the statement of learned counsel for the respondents in accordance with law as expeditiously as possible preferably within a period of three months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

21.01.2020
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| 1. | Whether speaking/reasoned | : | Yes/No. |
| 2. | Whether reportable | : | Yes/No. |