

CWP No.20083 of 2017
Date of Decision: 10.02.2020

Chander Kalan

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Aman Bansal, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana

NIRMALJIT KAUR, J. (ORAL)

The present writ petition is filed for setting aside the impugned orders dated 06.01.2017 and 18.04.2017 passed by respondent No.2, whereby the compassionate financial assistance demanded by the petitioner on account of death of her son was rejected.

Reply has been filed. As per para 4 of the reply, the petitioner was not entitled to the compassionate financial assistance in view of Rule 10 (B) (vi) of Haryana Civil Service (Pension) Rules, 2016, which came into force from 19.07.2016 i.e. before the death of son of the petitioner on 15.09.2016. As per the said rule, the parents are entitled to the financial assistance only in case their combined income is less than the minimum family pension. It is stated that the minimum family pension is Rs.9,000/-, whereas, the petitioner is already withdrawing Rs.17,000/- as family pension. Rule 10 (B) (vi) of Haryana Civil Service (Pension) Rules, 2016 is reproduced as under:-

“failing (i) to (v) above, parents who were wholly dependent on the Government employee when he/she was alive provided their present's combined income is less than the minimum family pension, prescribed from time to time, plus dearness relief thereon.”

In view of para 4 of the reply, the present writ petition is dismissed being devoid of any merit.

(NIRMALJIT KAUR)
JUDGE

10.02.2020
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No