

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

CWP No.5761 of 2017
Date of Decision: 15.1.2020

Bhagwati Devi and others

.....Petitioners

Versus

Mata Mansa Devi Shrine Board and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Mohit Rana, Advocate for
Mr. Gopal Sharma Advocate, for the petitioners.

Mr. Satish Singla, Advocate for
Mr. Vishal Garg, Advocate, for the respondents.

NIRMALJIT KAUR, J. (ORAL)

Prayer in the present petition is to grant the ex-gratia assistance under the Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules 2006 to the petitioners.

Affidavit dated 2.9.2019 was filed, vide which, it was specifically stated that the financial benefits have been duly released to petitioners No.1 and 4 i.e. Bhagwanti Devi and Sheela Devi, whereas, petitioners No.2, 3 and 5 i.e. Manju, Parveen Rani and Rekha were held eligible for ex-gratia employment under the Rules duly framed. Para No.2 of the said affidavit is reproduced below:-

“2. That earlier there were no policy/rules for providing ex-gratia financial assistance or appointment to the family members of the deceased employees in Board of answering respondents and neither Haryana Government Employees Rules 2006 for Ex-gratia were adopted by Shri Mata Mansa Devi Shrine Board. However, later on in the year 2018 as policy was framed detailed as Policy for Compassionate Appointment in Shri Mata Mansa Devi Shrine Board. However, the said policy

related to compassionate appointments only but in certain cases, the family members of the deceased employees are not eligible to fulfill the conditions for appointment under the said policy. For such employees, the board in its meeting dated 30.8.2018 passed resolution that the job be provided to the family members of the deceased employee who has died before attaining the age of 45 years and for rest of the case financial assistance be provided. In light of this fact, the petitioners have been provided with the financial assistance and the following amounts have been deposited in their accounts. The details of the same are as under:-

<i>Sr. No.</i>	<i>Name</i>	<i>Account Number</i>	<i>IFSC Code</i>	<i>Amount</i>
1	Smt. Sheela Devi wd/o Late Shri Balwan Singh S/o Late Shri Hoshiar Singh	2938000102075166	PUNB0293800	11,10,310.00
2	Smt. Bhagwati Devi wd/o Late Shri Sunder Lal S/o Late Shri Madhav Parsad	6130000100007789	PUNB0613000	4,74,234.00
--	--	--	Total	15,84,544.00

The detail of the amount deposited in their accounts are also annexed herewith as annexure (R-1).

As the other three petitioners i.e. Smt. Manju Wd/o Late Shri Inderjeet son of Shri Ram Sarup, Smt. Parveen Rani Wd/o late Shri Santosh Kumar son of Shri Kidu Ram and Smt. Rekha Wd/o late Shri Zaila son of Shri Ajmer Singh are eligible for Ex-Gratia Employment, policy for providing Ex-Gratia Employment has been framed and submitted to Chief Secretary, Haryana for approval. Now the Haryana Government made a Haryana Government Haryana Civil Services (Compassion Financial Assistance or Appointment) Rules, 2019 which has been circulated vide notification No.GSR 32/Const./Art.309/2019 dated 2nd August, 2019. The said policy is also annexed here with as annexure (R-2). The Chief

Secretary to Government Haryana has also advised to frame the independent policy in concurrence with the State Government Policy. Therefore, Board has submitted the file for getting approval from Hon'ble Chief Minister, Haryana-cum-Chairman, Shri Mata Mansa Devi Shrine Board, Panchkula for adoption of same policy i.e. the Haryana Government Haryana Civil Services (Compassion Financial Assistance or Appointment) Rules, 2019 to the employees of Shri Mata Mansa Devi Shrine Board, Panchkula in toto. On approval for adoption of the said policy of 2019 these cases shall be considered and decided accordingly.”

However on the last date of hearing, this Court directed the respondents to file an affidavit to show that all the benefits for which the petitioners are entitled have been released or not. Although, no affidavit is filed but learned counsel for the respondents has placed on record three orders dated 2.12.2019, vide which, ex-gratia employment was granted to the sons of petitioners No.2, 3 and 5 alongwith their respective joining reports.

In view of the above, the present writ petition is rendered infructuous.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

15.1.2020
sharmila

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