

*(Through Video Conferencing)*LPA No.62 of 2021 (O&M)
Date of Decision: 22.01.2021

Raksha Devi

.....Appellant

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**Present: Mr. P.C. Yadav, Advocate,
for the applicant/appellant.

Mr. Sandeep S.Mann, Addl. Advocate General, Haryana.

NIRMALJIT KAUR, J. (ORAL)**CM-169-LPA-2021**

Allowed, as prayed for.

CM-168-LPA-2021

For the reasons mentioned in the application, the same is allowed and the delay of 35 days in filing of the appeal is condoned.

Main Case

The present appeal is filed for setting aside the order dated 10.12.2020 passed in CWP-21220-2020, vide which, the writ petition filed by the petitioner praying for appointment for her daughter on compassionate basis was dismissed on the ground that the petitioner has filed the writ petition after an unexplained delay of more than 39 years. Today also, learned counsel for the appellant has not been able to explain the delay of 39 years and not an *iota* of explanation is evident even in the grounds of the present appeal.

The only arguments raised by learned counsel for the appellant is that the appellant has sent a legal notice to the respondents, which has not been decided till date and that all he is seeking, at this stage, that a direction be issued for deciding the legal notice. The arguments of learned counsel for the appellant has no merit. Admittedly, the husband of the appellant died in the year 1981. The case of the appellant was rejected way back on 05.02.1997. This fact is admitted in ground No.3(i) of the present appeal. Thereafter, the legal notice is dated 22.01.2020. No direction can be issued to decide the legal notice, at this stage, which has only been filed to cover up the delay of all these years. Even otherwise, the compassionate appointment is offered to over come the immediate economic and financial hardship faced by the family. The appellant having survived for the last 39 years.

No ground for interference in the order dated 10.12.2020 is made out.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

22.01.2021
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No