

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

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IN VIRTUAL COURT

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**CWP No. 9041 of 2021
Decided on : 20.8.2021**

Sarla Devi

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Raman Chawla, Advocate, for the petitioner

Rajbir Sehrawat, J.(Oral)

This petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari quashing the order/letter dated 21.5.2020 (Annexure P-7), passed by respondents vide which the claim of the petitioner was rejected. Further prayer of the petitioner is for issuance of directions to the respondents to release/disburse the monthly financial assistance (in short 'MFA') as per 6th and 7th Pay Commission along with interest @ 12% per annum to the petitioner in accordance with Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006 (in short 'the Rules 2006') which came into force on 1.8.2006 as has been released to the similar situated persons i.e. Respondents No. 6 to 9. It is also prayed that the respondents be directed to decide the representation of the petitioner dated 14.1.2021 (Annexure P-9) and grant MFA to the petitioner. It is also submitted that MFA has wrongly been granted to the petitioner for 10 years instead of a period of 12 years mentioned in Clause 5 (i) of the Rules 2006.

At the outset, counsel for the petitioner submits that the petitioner would be satisfied if the respondent pass a speaking order on his representation dated 14.1.2021 (Annexure P-9) within a time frame.

Notice of motion.

Mr. Harish Rathee, DAG, Haryana; accepts notice on behalf of respondents. Even counsel for the respondents is not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.1 to decide the representation of the petitioner dated 14.1.2021 (Annexure P-9) and take a conscious decision thereon by passing a speaking order; within a period of 3 months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of 3 months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

20.8.2021
Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No