

CWP No.24799 of 2021
Date of Decision: 07.12.2021

Joginder Singh Hooda

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. Jasbir Mor, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to modify the order dated 19.06.2021/21.06.2021 (Annexure P-4) and grant the financial assistance to the petitioner equal to the last pay drawn by the deceased wife upto her age of superannuation of 60 years i.e. upto 31.12.2024 being handicapped more than 70% in terms of Rule 143(1) Note 3 of the Haryana Civil Services (General) Rules, 2016 and Rule 5 of the Haryana Financial Assistance Rules, 2006. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the legal notice of the petitioner dated 22.09.2021 (Annexure P-6) by passing a well reasoned speaking order within a time bound frame.

At the outset, counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents take a conscious decision on the legal notice of the petitioner dated 22.09.2021 (Annexure P-6) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Pawan Kumar Longia, Deputy Advocate General, Haryana accepts notice on behalf of the 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.3 to decide the legal notice of the petitioner dated 22.09.2021 (Annexure P-6) and take a conscious decision thereon by passing a speaking order; within a period of three 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 three months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

07.12.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No