

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

209

**CWP-27583-2019 (O&M)
Date of Order:26.02.2021**

RAJESH KUMAR

..Petitioner

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Sunil Kumar Nehra, Advocate,
for the petitioner.

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

Mr. Rakesh Kumar, Advocate, for respondent no.4.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner's wife is stated to have died on 12.07.2017. Before her death, she was working as a Senior Scale Stenographer in the Department of Urban Estate, Haryana. The petitioner applied for release of the benefits as per the policy adopted by the State Government. However, the same were not released on the ground that the Police is investigating the matter.

The petitioner prays for quashing the order dated 20.02.2018, 24.08.2018 and 28.03.2019, respectively whereby, the payment of benefits as per the policy was withheld, awaiting report from the Police.

During the pendency of the writ petition, the Assistant Commissioner of Police, Panchkula, has filed an affidavit dated 01.02.2021 and para 3 to 5 reads as under:-

“3. That postmortem of deceased Meenakshi was conducted on 13.07.2017 and visra was sent to Karnal for Chemical Examination. Chemical Examiner, Govt.

Hospital, Karnal, submitted Chemical Examination report of visra vide letter no.1319-P dated 16.10.2018.

4. That after going through the postmortem report and the report of Chemical Examiner the board of doctors, vide their opinion dated 27.03.2019, opined that the cause of death Meenakshi is due to hanging which is antonym in nature.

5. That from investigation and from the opinion of board of doctors regarding cause of death deceased Meenakshi, it was found that Meenakshi had committed suicide by hanging. As no body was found responsible for her suicide so no FIR was registered in this matter against anybody. Report in this regard was sent to respondent no.3 vide this office letter No.1250/ACP/PKL dated 24.10.2020 (copy attached as Annexure R-1).”

After having heard the learned counsel for the parties it is considered appropriate to direct the competent authority to pass a fresh order within one month from today in accordance with law in view of the subsequent development i.e. the affidavit of the Assistant Commissioner of Police, Panchkula, dated 01.02.2021.

If the petitioner is found entitled to the amount, the same shall be released to him within one month after passing the order.

February 26, 2021
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No