

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

CWP-6139-2022

Date of Decision: 25.03.2022

Pushpa Devi

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajesh Arora, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that in the present case, the petitioner's husband is missing for the last approximately six years and the petitioner has already applied for the grant of compassionate financial assistance, which is not being looked into by the respondents and that too without any valid justification. Learned counsel further argues that as per the Haryana Government Notification dated 02.08.2019, after an expiry of six months of the registration of an FIR, for a person who disappears while in service, the family becomes entitled for the grant of financial assistance or the compassionate appointment, as the case may be, hence the respondents are liable to be directed to consider the claim of the petitioner for the grant of financial assistance, as being claimed by her in

respect of the fact that her husband is missing since the year 2016.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the Deputy Commissioner, Mewat and the Principal of Mewat Model School, Nuh, where the missing husband of the petitioner was working, vide representations dated 03.06.2016 and 20.01.2021 (Annexures P-4 and P-9), which are still pending consideration with the authorities concerned and her grievance is not being addressed.

Learned counsel for the petitioner further submits that the petitioner will be satisfied at this stage, in case a time bound direction is given to the Deputy Commissioner, Mewat-respondent No.2, to decide her claim for the grant of financial assistance as well as the appointment in terms of the Haryana Government Notification dated 02.08.2019, by passing an appropriate speaking order.

Notice of motion.

Mr. Raman Kumar Sharma, Additional A.G., Haryana, keeping in view the advance service of the copy of petition, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the representation dated 03.06.2016 (Annexure P-4) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the representation dated 03.06.2016 (Annexure P-4), this petition is disposed of with a direction to respondent No.2 to pass an appropriate speaking order on the representation dated 03.06.2016 (Annexure P-4), filed by the petitioner, within a period of eight weeks from

the date of receipt of the copy of this order. In case after the said decision, the petitioner is found entitled for any relief, the same be also released in her favour within a period of four weeks thereafter.

It is made clear that in case the petitioner feels aggrieved by the action of the respondents, she can avail the appropriate remedy available to her.

25.03.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes
2. Whether reportable : No