

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

CWP-15765-2001 (O&M)

Date of decision: 15.12.2022

Omwati

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Anas Ahmad Advocate for
Mr. R.N.Lohan, Advocate
For the petitioner.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to appoint the petitioner on the post of Sweeper on compassionate ground on account of death of her husband, who died on 16.06.2000.

2. Petition was admitted for hearing on 24.10.2001.

3. It seems that by sheer effluxion of time and pendency of the writ petition for more than 21 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. In any case, from a perusal of record/pleadings, it appears that even on merits, claim of the petitioner is not admissible. Reference may be had in particular to the stand taken in Paras 2, 3 and 4 of short reply filed on behalf of respondent No.1 and 2 and the same reads as under:-

“2. That all the service benefits have already been granted to the petitioner as per the Government Instructions/rules/policy in force at that time.

3. That it is respectfully submitted here that the services of the husband of the petitioner was regularized w.e.f. 01.04.1993 vide order no.6445/EA/RK dated 05.06.2003 as per the instruction dated 27.05.1993.

4. That it is respectfully submitted here that family pension was issued by the Accountant General, Haryana, Chandigarh to the widow of Late Sh. Babu Lal i.e. petitioner vide F.P.P.O. No.33031-F/HR dated 17.12.2003.”

5. Learned State counsel has canvassed arguments on similar lines as the stand taken in the written statement.

6. I am in agreement with the stand taken by the respondents. Neither any replication has been filed to the afore-noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

7. In the overall premise, I see no irregularity of any kind committed by the Department as to warrant any judicial intervention of this Court.

8. Since the petitioner has already been given ex gratia benefit, family pension and all the admissible benefits, no grounds are made out to interfere.

9. Dismissed.

10. Pending application, if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

December 15, 2022

Vandana

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No