

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(219-3)

CWP-21285-2021

Date of Decision : September 27, 2022

Kiran Devi

.. Petitioner

Versus

State of Haryana and others

.. Respondents

(219)

CWP-24096-2016

Kavita

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Bhisham Kumar Majoka, Advocate, for the petitioner(s)
in both petitions.

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

Mr. A.P.S. Sekhon, Advocate, for respondent No.4
in CWP No.21825 of 2021.

HARSIMRAN SINGH SETHI J. (ORAL)

By this common order, two writ petitions, the details of which have been given in the heading of the order, are being disposed of as both the petitions involve the same question of law on similar facts.

In the present petitions, the prayer of the petitioner(s) is for the grant of benefit under the Haryana Compassionate Assistance to the Dependents of the deceased Government Employees Rules 2006, which benefit has not been given to the petitioner(s) after the death of their

respective husbands, who died while in service. For the purpose of the present order, the facts are being taken from CWP No.21285 of 2021.

The husband of the petitioner namely Ishwar Chand was appointed as a Driver on 08.02.2016 on contract basis and during the course of his employment, he unfortunately died on 25.06.2019. The petitioner claimed the benefit of compassionate financial assistance under the Haryana Compassionate Assistance to the Dependents of the deceased Government Employees Rules 2006.

As per the petitioner, the petitioner was entitled for the compassionate financial assistance keeping in view the policy of the Government of Haryana dated 27.11.2014 according to which, a sum of Rs.3 lacs is to be paid to the family of the deceased employee, who was working in any Government Department/Board/Coroporation/ public undertaking even on adhoc/daily wage/contract basis, which will also include an employee working on contract basis through the service providing agency.

Learned counsel for the petitioner(s) argues that the petitioner is entitled for the said sum of Rs. 3 lacs.

After notice of motion, the respondents have filed the reply wherein, the claim of the petitioner(s) for the grant of Rs.3 lacs is not disputed. Rather, in the reply, it has been mentioned that keeping in view the order passed by the General Manager Haryana, Gurugram dated 03.01.2020, a copy of which has been appended as Annexure R-6, the financial assistance to the tune of Rs.3 lacs has already been released in favour of the petitioner(s), hence, the claim of the petitioner(s) stands

satisfied.

Learned counsel for the petitioner in CWP No.24096 of 2021 submits that though the claim of the petitioner in this writ petition is also similar to that of petitioner in CWP No.21285 of 2021 but no such benefit has been granted to her so far.

In the reply filed, it is not disputed that the instructions dated 27.11.2014 is applicable upon the petitioner in CWP No.21285 of 2021 as well as in CWP No.24096 of 2016.

That being so, the petitioner in CWP No.24096 of 2021 is also entitled for the benefit of Rs.3 lacs as her husband, who was working on contract basis, had died while in service after the notification dated 27.11.2014.

Keeping in view the above, the claim of the petitioner(s) for the grant of financial assistance to the tune of Rs.3 lacs is allowed in favour of the petitioner(s) in CWP No.21285 of 2021 as well as in CWP No.24096 of 2016.

The respondents are directed to release the financial assistance to the tune of Rs.3 lacs in favour of the petitioner(s), if not already released to them, within a period of one month from the receipt of copy of this order.

Both the writ petitions are allowed in above terms.

A photocopy of this order be placed on the file of other connected case.

September 27, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No