

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

130

CWP-262-2023

Date of decision:09.01.2023

Anita Devi and others

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sanchit Punia, Advocate for the petitioner.

SUVIR SEHGAL J. (ORAL)

Instant writ petition has been filed under Article 226/227 of Constitution of India for issuance of a writ in the nature of mandamus for directing the respondents to consider the case of the petitioners for grant of Compassionate Appointment, Financial Assistance and Pension on account of death of Ashok Kumar, while he was in service.

Counsel for the petitioners submits that the petitioners are the legal representatives of deceased-Ashok Kumar, who was working as a Clerk with the School Education Department, Haryana and he unfortunately expired on 21.11.2021. Counsel submits that despite a lapse of more than 01 year, the authorities have not taken any decision regarding the grant of the benefits to the petitioners under the Haryana Civil Services (Compassionate Financial Assistance or Appointment) Rules, 2019 and under the Haryana Civil Services (Pension) Rules, 2016. Counsel has made a reference to a communication dated 03.06.2022 addressed by the District Education Officer, Jind, to the Director General,

Secondary Education Haryana, for getting necessary instructions. He submits that the matter is pending despite a legal notice dated 10.08.2022, Annexure P-7, having been served upon the respondents. Counsel submits that petitioners will be satisfied, in case, a direction is issued to the concerned respondent to look into the legal notice, Annexure P-7.

Notice of motion to respondents No.1 to 4 only at this stage.

On asking of the Court, Mr. Pankaj Middha, Addl. A. G., Haryana, accepts notice on their behalf.

In view of the nature of order being passed, this Court does not deem it necessary to call upon the respondents to file a response.

Having heard counsel for the parties, but without examining the claim of the petitioner, writ petition is disposed of with a direction to Director, Secondary Education, Haryana - respondent No.2, to examine the legal notice, Annexure P-7, and to pass an appropriate administrative order thereon within a period of 04 months from the date of communication of a copy of this order.

09.01.2023
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No