

109.

2023:PHHC:051294

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

CWP-7286-2023

Date of Decision: 13.04.2023

CHANDRAWATI AND ANOTHER

.... Petitioners

Versus

HARYANA SEHRI VIKAS PRADHIKARAN AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sourabh Goel, Advocate, and
Mr. Tej Bahadur, Advocate, and
Ms. Shivani Sahni, Advocate, for the petitioners.

JAISHREE THAKUR.J (Oral)

The petitioners herein seek a writ in the nature of mandamus directing the respondents to consider the claim of petitioner No.2 for compassionate financial assistance or compassionate appointment under Rules called "Haryana Civil Services (Compassionate Financial Assistance or Appointment) Rules, 2019.

Learned counsel appearing on behalf of the petitioners would contend that the father of petitioner No.2 passed away while in service on attaining the age of 50 on 30.01.2001. At the relevant time, no financial assistance was given to petitioner No.2 or the family members. By virtue of the notification dated 02.08.2019, the State has decided to allow financial assistance to those who could not avail of the same on an earlier occasion. The petitioners herein have already approached the department concerned by way of an application seeking financial assistance/appointment under the

said notification and have also served a legal notice dated 10.05.2022 Annexure P-8 upon respondent No.2, however, as on date, there is no response. It is submitted that at this stage, the petitioners would be satisfied in case said legal notice is decided in a time bound manner, in accordance with law.

Notice of motion.

At this stage, Mr. Arvind Seth, Advocate has caused appearance and accepts notice on behalf of respondents.

Let adequate number of copies of the writ petition be furnished to the counsel appearing on behalf of the respondents during the course of the day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioners, the present petition is disposed of with a direction to respondent No.2 to decide legal notice dated 10.05.2022 Annexure P-8 of the petitioners, within a period of six weeks from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioners. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

13.04.2023

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No