

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

LPA-683-2023 (O&M)
Date of decision : 17.11.2023

State of Haryana and othersAppellants

Versus

Sheela DeviRespondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Deepak Balyan, Addl. Advocate General, Haryana.
Mr. R.K. Doon, Advocate, for the caveator – respondent.

RITU BAHRI, ACTING CHIEF JUSTICE (Oral)

CM-1782-LPA-2023

For the reasons mentioned in the application, duly supported
by an affidavit, delay of 154 days in filing the appeal is condoned.

Application is, accordingly, allowed.

LPA-683-2023 (O&M)

The State of Haryana and others have filed this appeal against the order and judgment dated 16.11.2022 passed by the learned Single Bench, whereby the petition (CWP-23820-2011) filed by the respondent was allowed; and the order dated 18.11.2008 (Annexure P-7) passed by appellant No.2 (respondent No.2 in the petition) vide which the earlier order dated 23/29.12.2006 (Annexure P-3) granting monthly financial assistance to the respondent (petitioner in the petition) in accordance with the Haryana Compassionate Assistance to the Dependents of deceased Govt. Employees Rules, 2006 (for short, “2006 Rules”), was withdrawn, has been quashed.

2. After going through the impugned order and judgment, it transpires that vide order dated 23/29.12.2006 (Annexure P-3), the

respondent was rightly granted the benefit under the 2006 Rules. Learned Single Judge has referred to Clause 6 of the 2006 Rules, whereby it has been clarified that all pending cases of ex-gratia assistance are to be covered under these Rules. In the case of the respondent herein, her husband died in harness on 28.07.2005 and benefit of monthly financial assistance was granted to her vide order dated 23/29.12.2006 (Annexure P-3). Since this benefit was given to the respondent after coming into force of the 2006 Rules, the writ petition filed by her has been rightly allowed, while quashing the order dated 18.11.2008 (Annexure P-7) withdrawing the said benefit.

3. In view of the above, no interference with the impugned order and judgment passed by the learned Single Bench is called for.

4. Appeal is, accordingly, dismissed.

5. The impugned order and judgment dated 16.11.2022 passed by the learned Single Bench be complied with within a period of two weeks.

6. Since the main appeal itself has been dismissed, no orders are required to be passed on the pending applications.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

November 17, 2023
ndj

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No