

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

CWP-15267-2023 (O&M)
Date of decision :20.07.2023

SITA RAM

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Deepanshu Mehta, Advocate
for the petitioner.

HARSH BUNGER, J. (ORAL)

The present petition has been filed by petitioner-Sita Ram, under Articles 226/227 of the Constitution of India, for issuance of a writ in the nature of *mandamus*, directing respondents No.2 to 6 to release the amount of compensation, for which he is entitled, in terms of provisions of Section 22 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Services) Act, 1996 (for short 'the Act, 1996'), whereby the Government of Haryana, has formulated *ex-gratia* scheme, wherein, in the event of death of the beneficiary, an amount of Rs.2 lacs is released to the dependents of the beneficiary and an amount of Rs.15,000/- is also paid to the dependents of the beneficiary qua funeral assistance as per the Funeral Assistance Scheme formulated in compliance of Section 22 of the Act, 1996 and in the light of the Welfare Scheme implemented thereunder.

2. At the outset, learned counsel for the petitioner submits that as regards the relief claimed in the present writ petition, the petitioner has also

served a legal notice dated 24.04.2023 (Annexure P-3) upon the respondents; however, the same has not been decided till date. It is submitted that the petitioner would be satisfied at this stage, if a direction is issued to the respondents to consider/decide the afore-said legal notice dated 24.04.2023 (Annexure P-3), in a time bound manner.

3. At this state, learned State counsel-Mr. Praveen Chander Goyal, Additional Advocate General, Haryana and Mr. Jagbir Malik, Advocate for respondent No.3, appear and submit that in case, the aforesaid legal notice dated 24.04.2023 (Annexure P-3) has been served and received in the concerned Office, then the same shall be looked into/decided in accordance with law by the concerned authority and an appropriate speaking order will be passed.

4. I have heard learned counsel for the parties and perused the paper book with their able assistance.

5. Since the petitioner claims to have served a legal notice dated 24.04.2023 (Annexure P-3) upon the concerned authorities, especially respondent No.3 in the present petition; accordingly, without commenting anything on the merits of the case, I deem it appropriate to dispose of the instant writ petition by directing respondent No.3 i.e. Labour Commissioner-cum-Member Secretary, Haryana Building and Other Construction Workers Welfare Board, Haryana, to look into, consider and decide the aforesaid legal notice dated 24.04.2023 (Annexure P-3) by passing a speaking order within a period of six weeks from today. It goes without saying that in case petitioner is entitled to any relief, the same may be granted to him in

accordance with law.

- 6. Disposed of in the afore-said terms.
- 7. All pending application/s, if any, shall stand closed.

July 20th, 2023
gurpreet

(HARSH BUNGER)
JUDGE

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