

CM-18266-CWP-2023 in/and
CWP No. 4754 of 2017

2023:PHHC:138821

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CM-18266-CWP-2023 in/and
CWP No. 4754 of 2017
Date of Decision : 31.10.2023

Randhir Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-18266-CWP-2023

Present application has been filed for recalling the order dated 17.10.2023, by which, the present petition was dismissed for non-prosecution.

Notice of the application to the counsel opposite.

Mr. Saurabh Mohunta, learned Deputy Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents. He raises no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which is duly supported by an affidavit, coupled with the fact that learned

counsel for the respondents has not objected to the relief as prayed in the present application, the same is allowed. The order dated 17.10.2023 is recalled and the appeal is restored to its original number and status.

CWP-4754-2017

Learned counsel for the petitioner submits that the claim of the petitioner with regard to the grant of ex-gratia amount is covered by the decision of this Court in CWP No. 706 of 2014 titled as ***Illayachi Devi and another Vs. State of Haryana and others***, decided on 30.10.2023 hence the present petition may kindly be disposed of in the same terms for the grant of ex-gratia.

Learned State counsel is not able to rebut the contention that the question of law raised for the grant of ex-gratia is covered by the judgment of this Court in CWP No. 706 of 2014 titled as ***Illayachi Devi and another Vs. State of Haryana and others***, decided on 30.10.2023.

In view of the above, the present petition is disposed of in terms of the order passed by this Court in CWP No. 706 of 2014 titled as ***Illayachi Devi and another Vs. State of Haryana and others***, decided on 30.10.2023.

It is clarified that the petitioner will only be entitled for the ex-gratia amount as admissible under the Policy, which was prevalent at the time of death of father of the petitioner.

October 31st, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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