IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(220) CWP-4716-2019
Date of Decision : February 01, 2024

Kamlesh Kumari and others .. Petitioners

Versus

Principal Secretary to Govt. Of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rakesh Kumar Sharma, Advocate, for the petitioners.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioners very fairly submits that keeping in view the judgment of the Division Bench of this Court passed in ***LPA No.160 of 2021 titled as Tinku vs. State of Haryana and others, decided on 22.03.2022***, the claim of the petitioners for the grant of compassionate appointment is not being pressed.

2. Learned counsel for the petitioners submits that at the time when the husband of petitioner No.1 died in the year 2000, as per the policy available either the compassionate appointment or the compassionate financial assistance was available and hence, as the petitioners have not been found entitled for compassionate appointment, the respondents are under an obligation to grant the petitioners the benefit of compassionate financial assistance.

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3. Learned State counsel submits that in case any claim is raised by the petitioners, the same will be considered in accordance with law and appropriate order on the same will be passed within a period of eight weeks of the receipt of any such claim and in case the petitioners are found entitled for any benefit of compassionate financial assistance, the same will be released to them.

4. Learned counsel for the petitioners submits that keeping in view the fact that the petitioners have been contesting the claim for compassionate appointment, the claim for the compassionate financial assistance be not rejected on the ground of limitation.

5. Learned State counsel submits that the claim of the petitioners for the grant of compassionate financial assistance will be considered on merits and entitlement and will not be rejected merely on the ground that the same has now been filed.

6. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present writ petition may kindly be disposed of having been not pressed any further with liberty to the petitioners to raise the claim for the compassionate financial assistance under the Rules applicable at the time of the death of the husband of petitioner No.1.

7. Ordered accordingly.

February 01, 2024 **(HARSIMRAN SINGH SETHI)**
harsha **JUDGE**

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

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