



CWP-9387 of 2023

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

246

CWP-9387 of 2023

Date of Decision:13.08.2024

Anu Koshish

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Mayank Garg, Advocate, for the petitioner.

Mr. Tapan Kumar, DAG, Haryana

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.2 to grant the ex-gratia compassionate financial assistance to the petitioner.

2. Learned counsel submits that the petitioner has not been granted ex-gratia compassionate financial assistance admissible to her under the Haryana Civil Services (Compassionate Financial Assistance or Appointment) Rules, 2019 (for short 'the Rules 2019') on account of death of her husband on 21.03.2021 while he was posted as Medical Officer. He further submits that the claim of the petitioner was rejected only on account of the fact that the petitioner was working as General Manager, Integrated



CWP-9387 of 2023 2

Co-operative Development Project and as such her income being greater than the minimum family pension prescribed by the State Government as is apparent from the written statement that Rule 5 (f)(i)(c) of the Rules 2019. He next submits that there is a change of circumstances now that the petitioner is no longer in the said employment and as such the case of the petitioner now requires to be reconsidered in light of the aforesaid. He, on instructions, submits that the petitioner shall submit a representation substantiating her claim, which be decided in a time bound manner.

3. Learned State counsel has no objection to the limited prayer made.
4. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents that in case the petitioner submits representation within four weeks, the same shall be decided within a period of four months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them, and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same shall contain reasons and the petitioner shall be free to seek legal redress.

(AMAN CHAUDHARY)
JUDGE

August 13, 2024
dinesh

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