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

**CWP-23425-2013 (O&M)
Date of Decision: 10.03.2025**

PHOOL PATI

..... Petitioner

*Versus***U.H.B.V.N. LTD. AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Naveen Daryal, Advocate
for the petitioner.

Mr. Prince Singh, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to release her retiral/terminal benefits. She is further seeking direction to respondent to grant compassionate appointment or in the alternative pay ex-gratia amount.

2. The petitioner's husband passed away in 1999 and through instant petition is claiming that she was not paid gratuity, provident fund, leave encashment as well as ex-gratia compensation.

3. Mr. Prince Singh, Advocate for the respondents during the course of hearing produced detail of payment made to petitioner during 1999-2004. As per said detail, the petitioner was paid leave encashment Rs.64,175/- on 15.11.1999, death-cum-retirement gratuity Rs.77,268/- on 28.12.1999, ex-gratia amount Rs.25,000/- on 04.04.2000 and GPF



Rs.56,302/- on 17.01.2000. She was also paid ex-gratia financial assistance Rs.2,50,000/- vide cheque dated 21.07.2004. It shows that petitioner had already been paid all terminal dues as well as ex-gratia financial assistance. As per policy of 2003, she could either opt for compassionate appointment or financial assistance. She is claiming compassionate appointment, however, respondent denied her claim and paid her ex-gratia financial assistance. The assistance was paid in 2004. The said amount was neither accepted under protest nor there was attempt to return the said amount. The husband of the petitioner passed away in 1999 and she approached this Court in 2013.

4. In backdrop, this Court does not find any substance in the claim of the petitioner especially when she had already been paid all terminal dues alongwith ex-gratia financial assistance.

5. Dismissed.

6. Pending misc. application (s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

10.03.2025

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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No