



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

207

CWP-22494-2016

Date of Decision: 26.11.2025

MUKESH

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Amit Bansal, Advocate for
Mr. Ashutosh Kaushik, Advocate
for the petitioner

Mr. Ashok Kumar Khubbar, Addl. A.G, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 08.01.2016 whereby respondent has rejected her claim under Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006 (for short '**2006 Rules**').

2. From the perusal of record, it comes out that petitioner's husband joined Haryana Police as Constable on 31.07.2004 and passed away on 04.06.2006. At that point of time, Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2005 (for short '**2005 Rules**') were in force. The respondent determined benefits of petitioner as per 2005 Rules. The State Government introduced 2006 Rules w.e.f. 01.08.2006. The petitioner claimed benefit

of 2006 Rules which was rejected by impugned order on the ground that date of death is relevant and on the date of death of employee, 2005 Rules were in force.

3. On being confronted with Rule 6 of 2006 Rules, learned State counsel expressed his inability to controvert that all pending cases of *ex gratia* assistance were covered under 2006 Rules.

4. The employee had died on 04.06.2006, thus, there were all probabilities that dependent had not availed benefits as per 2005 Rules before coming into force 2006 Rules. The ground of rejection of claim of petitioner seems to be contrary to Rule 6 of 2006 Rules. Matter needs to be re-examined by competent authority.

5. In the wake of above discussion and findings, this Court is of the considered opinion that impugned order deserves to be set aside and accordingly set aside. The respondent is directed to reconsider claim of the petitioner in the light of Rule 6 of 2006 Rules. The needful shall be done with three months from today.

6. Disposed of in above terms.

7. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

November 26, 2025
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No