



205

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-731-2017 (O&M)

Date of Decision: 13th of May, 2025

MRS. SANGEETA

.....Appellant(s)

V/s.

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**
 HON'BLE MR. JUSTICE H.S. GREWAL

Present Mr. Sandeep Parkash Chahar, Advocate for the appellant.

 Mr. Hitesh Pandit, Addl. A.G., Haryana, for the respondents.

 Mr. Indresh Goel, Advocate for respondent No.3.

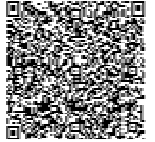
SANJEEV PRAKASH SHARMA, J. (Oral)

CM-1544-LPA-2017

For the reasons mentioned in the application, the same is allowed and delay of 732 days in filing the appeal is hereby condoned.

LPA-731-2017 (O&M)

1. The short point involved in the present case with regard to the order dated 16.03.2015 passed by the learned Single Bench which is challenged to a limited extent by the appellant herein stating that while the respondents have principally agreed to release the monthly financial assistance to the widow in terms of the Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006 (hereinafter referred to as the Rules of 2006), it has put the spokes on such grant for issuing letters dated 11.03.2015 and 13.03.2015, whereby the respondents have asked the petitioner to submit an undertaking in terms of The Haryana Civil Services Rules Pension (Part-II) Rules, 2009 (hereinafter



referred to Rules of 2009) which requires as per Rules 14(3) and 14(4), conditions regarding the dependency criteria of the childless widow.

2. Learned counsel submits that the respondents have misguided themselves in issuing of letter dated 13.03.2015 as the monthly financial assistance available to the petitioner in terms of Rules of 2006 is with reference to the Family Pension Scheme, 1964 where the family has been defined.

3. In the case of the petitioner, there was no requirement under the Family Pension Scheme of 1964 to give any undertaking and the undertaking being claimed is, therefore, misconceived.

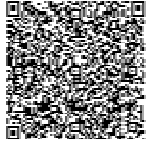
4. Learned State counsel submits that so far as the Joint Director of the Department is concerned, he had conveyed to release the monthly financial assistance to the Registrar, Guru Jambheshwar University of Science & Technology, Hisar and the letter issued to the petitioner is by the Registrar.

5. We have considered all the aspects.

6. Learned Single Bench, in the impugned order, has passed the following order:-

“By way of the instant writ petition, under Articles 226/227 of the Constitution of India, the petitioner seeks directions to the respondents to release the monthly financial assistance from the date it was stopped till its payment along with interest @ 24% per annum.

Mr. Kuldeep Singh Jamwal, Joint Director, who is present in the Court, submits that the necessary clarification regarding dependency for monthly financial assistance has been conveyed to the Registrar, Guru Jambheshwar University of Science & Technology, Hisar. A copy of the letter dated



11.03.2015 in this regard, is taken on record as Mark-A. In pursuance of the clarification received by the Department, the Registrar has approved the grant of monthly financial assistance to the petitioner, vide office order dated 13.03.2015, which is taken on record as Mark-B.

In view of the letter dated 11.03.2015 (Mark-A) and the office order dated 13.03.2015 (Mark-B), the present petition is disposed of as having become infructuous.”

7. While we find that the claim of the petitioner seeking release of monthly financial assistance was principally accepted by the State and conveyed to its Registrar, Guru Jambheshwar University of Science & Technology, Hisar to release the same, certain conditions were put by the Registrar which were totally folly to the provisions of the Rules of 2006 which governed the eligibility and method of grant of release of financial assistance which the petitioner was claiming. The letters dated 11.03.2015 and 13.03.2015 referred to the Rules of 2009, which have no application and therefore, to the said extent the conditions being demanded deserves to be deleted.

8. We, therefore, clarify that without imposing the condition of filing of an undertaking in terms of the Rules of 2009, the petitioner, who is a widow, would be entitled to receive monthly financial assistances from the date it was stopped till the same was paid to her in terms of the specific acceptance on part of the State Government whose Joint Director was present in the Court before the learned Single Bench. No further impediment shall be imposed. The amount shall now be released along with arrears with interest @ 9% per annum.



9. With the aforesaid clarifications, the Appeal stands **disposed of.**

10. It is made clear that the financial assistance would be payable strictly in terms of Rules of 2006 for the term as provided therein.

11. All pending applications in this case are disposed of accordingly.

[SANJEEV PRAKASH SHARMA]
JUDGE

[H.S. GREWAL]
JUDGE

May 13, 2025

Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>