



LPA-2452-2025 (O&M)

-1-

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

108

LPA-2452-2025 (O&M)

Date of Decision :22.08.2025

State of Haryana and others

...Appellants

Versus

Jai Dev

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Sandeep Chhabbra, Addl. A.G. Haryana
for the appellant-State.

* * *

Harsimran Singh Sethi, J. (Oral)

CM-6183-LPA-2025

As prayed for, application is allowed.

CM-6184-LPA-2025

Present application has been filed for condonation of delay of 90 days in filing the present appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 90 days in filing the present appeal is condoned.

LPA-2452-2025

1. In the present appeal, the challenge is to the order dated 28.02.2025 passed by the learned Single Bench of this Court, by which a



direction has been given to the appellant-State that the ex-gratia grant and the reward money in terms of the policies dated 15.06.2001, 06.03.2017 and 08.11.2021 issued by the State of Haryana, be implemented and benefit be granted to the respondent-Jai Dev i.e. father of the Flight Lieutenant Varun Kumar, who was serving as a Pilot in the Indian Air Force and has lost his life in an air crash on 09.06.2009 at Mechuka, Arunachal Pradesh during “Battle Inoculation Mission” at Air Force Station, Jorhat, on the ground that the same is perverse.

2. Learned counsel for the appellant-State argues that the ex-gratia grant and reward money as per the instructions issued by the Government of Haryana is only admissible in case the death occurs during the battle inoculation training exercises or demonstration with live ammunition whereas, son of the respondent unfortunately died in an air crash hence, his case for the grant of benefit as directed to be granted by the learned Single Judge, is not covered under the policies of the State.

3. We have heard learned counsel for the appellant-State and have gone through the record with his able assistance.

4. A bare perusal of paragraph-6 of the judgment of the learned Single Judge dated 28.02.2025, wherein the relevant policy has been reproduced clearly shows that the eligibility for ex-gratia grant is admissible to the families of Defence Forces personnel belonging to State of Haryana and killed and notified as Battle casualties/Battle accidents by Defence authorities.

5. It may be noticed that the death of son of the respondent has been treated as battle causality. Once, the Union of India has given a certificate that death of the son of the respondent is a battle causality, the

**LPA-2452-2025 (O&M)****-3-**

same cannot be disputed by the State for the grant of benefit admissible by not treating the same as battle causality.

6, On being asked to point out as to how the instructions which have been relied upon by the learned Single Judge are not applicable in the facts and circumstances of the present case so as to allow benefit of ex-gratia grant and reward money, learned counsel for the appellant-State has not been able to point out any such factual aspect.

7. The judgment of the learned Single Judge can only be interfered with in case the same is perverse to the facts or the settled principle of law. In the absence of any perversity being pointed out by the learned counsel for the appellant-State in the judgment of the learned Single Bench dated 28.02.2025, no ground for interference by this Court is made out and the present appeal is accordingly dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

August 22, 2025
aarti

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No



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(HARSIMRAN SINGH SETHI)
JUDGE

August 22, 2025
aarti

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No