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IN THE COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-27526-2023 (O&M)
Date of Decision: 03.12.2025

POONAM DEVI

....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioner.

Mr. Saurabh Girdhar, Asst. A.G., Haryana.

Mr. Saurabh Singla, Advocate for
Ms. Sehej Sandhawalia, Advocate
for respondent No.2 to 4.

HARPREET SINGH BRAR, J. (Oral)

1. Prayer in the present petition has been preferred under Article 226 of the Constitution of India, for issuance of a writ in the nature of mandamus directing the respondents to release complete amount of compassionate financial assistance in accordance with the provisions of Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006.

2. On 07.12.2023, the following order was passed:-

*“Present: Mr. Manjeet Singh, Advocate
for the petitioner.*

Learned counsel for the petitioner contends that the husband of the petitioner after serving the respondent-Department for 15 years with clean records, unfortunately died on 26.07.2018 in a road accident, who was of the age of 32-33 years at that time.

The grievance raised in the instant petition qua non-release of compassionate financial assistance, to which the petitioner is legally entitled to as per Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules 2006 and especially Rule 5(1)(a).

Notice of motion 16.04.2024.”

3. On 27.08.2024, learned counsel for respondent No.2 to 4 sought time to file reply. There is no representation on behalf of the petitioner and even respondent No.2 to 4 has not filed reply. As such, the petitioner is a widow and prayer in the present petition is regarding the release of compassionate assistance to her in terms of the provisions of Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006 (Annexure P-1).

4. A perusal of the paper book indicates that the husband of the petitioner was appointed as a Linemen in respondent-Nigam in the year 2007. The petitioner's husband unfortunately met with an accident on 26.07.2018 and died on the spot. At the time of his death, his age was about 32-33 years. Since the petitioner's husband was a regular employee, the petitioner is entitled to receive the financial assistance in terms of Haryana Compassionate Assistance to the Dependents of Deceased Government Employees Rules, 2006 (Annexure P-1). The object of the Rules is to assist the family of the deceased employee of Group B and C category in time of need. Criteria for financial assistance has been provided in Rule 5, which is as under:-

“5. (1) On the death of any Government employee, the family of the employee would continue to receive as financial assistance a sum equal to the pay and other allowances that was last drawn by the deceased employee in the normal course without raising a specific claim,-

(a) for a period of fifteen years from the date of death of the employee, if the employee at the time of his death had not attained the age of thirty-five years;

(b) for a period of twelve years or till the date the employee would have retired from Government service on attaining the age of superannuation, whichever is less, if the employee at the time of his death had attained the age of thirty-five years but had not attained the age of forty-eight years;

(c) for a period of seven years or till the date the employee would have retired from Government service on attaining the age of superannuation, whichever is less, if the employee had attained the age of forty-eight

years.

(2) The family shall be eligible to receive family pension as per the normal rules only after the period during which he receives the financial assistance as above is completed.

(3) The family of a deceased Government employee who was in occupation of a Government residence would continue to retain the residence on payment of normal rent/license fee for a period of one year from the date of death of the employee.

(4) Within fifteen days from the date of death of a Government employee, an ex-gratia assistance of twenty five thousand rupees shall be provided to the family of the deceased employee to meet the immediate needs on the loss of the bread earner.

(5) House Rent Allowance shall not be a part of allowance for the purposes of calculation of assistance.”

5. Further, the first representation was made on 07.06.2022 as discernible from representation dated 07.06.2022 (Annexure P-3). On 07.06.2022, she obtained the information under Right to Information Act, 2005, in which she had been informed about the salary of her deceased husband. Thereafter, another representation was made on 11.07.2022 and it was informed that her claim amount on account of gratuity, leave encashment is under process. Leave encashment amount of Rs.40,131/- has been given to the petitioner. Some amount has been deposited in NPS and she was also informed regarding her entitlements of pension. Petitioner again submitted a detailed representation on 04.02.2023 (Annexure P-7) indicating all relevant facts and figures, however, it remains unheeded as to what compelled the petitioner to approach this Court.

6. In view of the fact that the petitioner is seeking financial assistance in terms of the Rules of 2006 as her husband died in the year 2018, following which more than 7 years have passed and the writ petition is pending for the last two years and still the respondent has not even chosen to file reply. Considering the submissions made by the learned counsel for the parties, present writ petition is disposed of and the respondent No.1 is directed to treat this writ petition as a comprehensive representation and pass



a speaking order, accordingly, after affording him an opportunity to be heard within a period of three months from the date of receipt of certified copy of this order.

7. Needless to say, if the petitioner is found entitled to the relief the same shall be granted to her forthwith.

8. The present writ petition is being disposed of.

(HARPREET SINGH BRAR)
JUDGE

03.12.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No