

2026:PHHC:088601



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

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CWP-12180-2020 (O&M)
Date of decision: 01.07.2026

Rajpal

....Petitioner

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court, Panipat and others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Bhavdeep Singh Mamli, Advocate for the petitioner.

Mr. Piyush Khanna, Addl. AG, Haryana.

Mr. DR Singla, Advocate for respondent Nos.2 and 3.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Articles 226/227 of the Constitution of India is for directing the respondents to consider the case of the petitioner for employment under Ex-gratia Scheme or to pay financial assistance.

2. Learned counsel relies on the meaning of 'Dependent' as per the Haryana Compassionate Assistance to Dependents of Deceased Government Employees Rules, 2003, to state that the petitioner was completely dependent upon his father who died in harness, however, on the other hand, learned counsel appearing for respondent Nos.2 and 3 refers to Rule 8 thereof relating to criteria of eligibility, as also to order dated 16.11.2010, Annexure R3, whereby claim of financial assistance of his mother Laxmi Devi was considered and not

found feasible as per the provisions of the said Rules, since she was working as Safai Karamchari in HPGCL and monthly income of the family was more than Rs.6000/-. The relevant Rule as also Clause 3(h) read thus:

“8. The criteria for eligibility under these Rules shall be as under:-

(a) The family is indigent and deserves immediate assistance for relief from financial destitution.

(b) The monthly income of the family shall not exceed Rs.6000/- per month, from all sources other than family pension. For this purpose, the income of the entire family of the deceased Government employee will be taken into account and not just the income of the dependent who has applied for appointment on compassionate grounds.

(c) The applicant for appointment should be eligible and suitable for the post in all respects under the provisions of the relevant recruitment rules.

(d) Where spouse of the deceased is already in Government service, no other dependent member shall be eligible for appointment or ex-gratia compassionate financial assistance.

(e) Married son of the deceased will be eligible only if no other member of the family is eligible for Government service and his spouse is not already in Government service and unmarried eligible dependent is not willing to join service and given an affidavit to this effect.

(f) Where dependent of the deceased Government employee does not become eligible for appointment on any ground or within three years of the death of the Government employee he/she shall not be eligible for the ex-gratia compassionate financial assistance also.

(g) The prescribed educational qualifications and lower/upper age limits, would not be relaxed for appointments.”

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“3(h) ‘Indigent Family’ Where the family of the deceased/missing Government employee is completely dependent upon him/her and deserve immediate assistance for relief from destitution and whose income does not exceed Rs.,6000/- per month excluding the family pension.”

3. Further reference is made to para 6 of the short reply filed by way of affidavit dated 06.04.2021 of the Administrative Officer, Panipat Thermal Power Station, HPGCL, Panipat, stating therein that not only was the mother of the petitioner, already working at the time of the demise of his father and was

therefrom even regularized and appointed as Sweeper in regular capacity vide memo dated 13.05.2004, in the scale of Rs.2650-4000, drawing a pay more than Rs.6000/- per month excluding family pension, but that brother of the petitioner, Rajinder Singh was also working in PTPS as Safai Karamchari on regular basis and drawing more than Rs.6000/- per month. Furthermore, petitioner as also his brother Raj Kumar and sister Vimla Devi had all furnished an affidavit dated 09.06.2003 in favour of their mother for receiving Rs.2.5 lakh as ex-gratia amount.

4. The petitioner was 27 years at the time of applying for employment under Ex-gratia Scheme, while as per Clause 3(e)(ii) of Rules, 2003, the definition of 'Dependent' means son (including adopted son) till he attains the age of 25.

5. Learned counsel for the petitioner was, despite best efforts, neither able to substantiate his claim nor dispute the aforesaid facts, in view of which, the present petition is dismissed.

(AMAN CHAUDHARY)
JUDGE

01.07.2026

ashok

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