

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2948 OF 2010

(Arising out of S.L.P. (C) No.4039 of 2007)

State of Haryana and Anr.

...Appellant(s)

Versus

Kamlesh

...Respondent(s)

With C.A. No.2949 of 2010 @ S.L.P. (C) No.5083 of 2007, C.A. No.2950 of 2010 @ S.L.P. (C) No.5608 of 2008, C.A. No.2951 of 2010 @ S.L.P. (C) No.8085 of 2008, C.A. No.2952 of 2010 @ S.L.P. (C) No.16367 of 2008, C.A. No.2953 of 2010 @ S.L.P. (C) No.26363 of 2008 and C.A. No.2954 of 2010 @ S.L.P. (C) No.30605 of 2008

O R D E R

Delay condoned.

Leave granted.

Learned counsel for the appellants submit that the impugned order of the High Court is untenable because according to Rule 3(d) it is mentioned that an employee who has served the Government for three years would be entitled to be regularized. Three years service means the regular service which is disputed by learned counsel appearing for the respondents.

Learned counsel for the appellants has brought to our notice the Haryana Government General Administration Department Notification dated 10th February, 2004. Rule 6 reads as under:

“(1) In case the dependent of the deceased Government employee is not eligible for appointment on any ground mentioned in clauses (c) and (g) of this rule and rule 16(a), the family member shall be given ex-gratia assistance of Rupees 2.5 lacs.”

....2/-

Some of the respondents in these appeals submit that they have already exercised this option.

Learned counsel for the appellants submit that all those respondents who are willing to give undertaking to the Department under this Rule would also get ex-gratia assistance of Rupees 2.5 lacs. We direct the concerned Department of the State of Haryana to make the grant of ex-gratia payment of Rupees 2.5 lacs within six weeks from the date of giving of the undertaking to the concerned Department.

The appeals are, accordingly, disposed of.

The parties to bear their own costs.

New Delhi,
April 01, 2010.



.....J.
[DALVEER BHANDARI]

.....J.
[K.S. RADHAKRISHNAN]

JUDGMENT