

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

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CWP-5069-2021

Date of Decision : May 14, 2025

JANKO DEVI AND ANR.

-PETITIONERS

V/S

STATE OF HARYANA AND ORS.

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Mohan Singla, Advocate
for the petitioners.

Mr. Bhupender Singh, D.A.G., Haryana.

Mr. Sumeet Narang, Advocate
for the respondent No.5.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, prayer is made for setting aside the order dated 01.01.2021 (Annexure P-11), as passed by the respondent No.4, and, also the reply dated 27.01.2021 (Annexure P-13), as made by the respondent No.4 to the legal notice dated 06.01.2021 (Annexure P-12), whereby, the claim of the petitioners under Mukhya Mantri Parivar Smridhi Yojna, Haryana and Pradhan Mantri Jivan Jyoti Bima Yojna, has been declined. Moreover, prayer is also made for issuance of directions upon the respondent(s) to pay compensation of ₹ 2,00,000/- to the petitioners, under the schemes (supra).

2. The case set up by the petitioners is that, three members of the petitioners' family, namely, Janko Devi, Ram Pal and Gaurav, were/ are eligible for the benefits under the schemes (supra). After deduction of premium of ₹ 1243/- by the respondent(s)/authority concerned in respect

of aforesaid three family members, out of ₹ 6,000/- (i.e. benefits payable under the schemes), the balance amount of ₹ 4757/- was deposited by the State Government in two different bank accounts. Unfortunately, the demise of one of the beneficiaries namely Ram Pal, who was husband and father respectively of the petitioners No.1 and 2, occurred on 26.08.2020, whereupon, the petitioners raised claim before the Deputy Commissioner, Yamunanagar. However, the Deputy Commissioner responded that, the benefit under the schemes (supra) cannot be given, as the concerned Bank had not deducted the premium from the account of the deceased, whereas, the respondent No.3- Nodal Director General contended that no application had been submitted at all.

3. Taking into account the contradictory stand of the respondents, the Co-ordinate Bench of this Court, through its drawing the order dated 01.02.2024, directed the respondent(s) to file a comprehensive affidavit after verifying all the aspects.

4. What emerges from perusal of the reply dated 04.11.2024, as furnished in compliance of the directions (supra), is that, the application moved by the petitioners was entertained and adjudicated by an authority, which was not at all competent to do so. The reason being that, the Mukhya Mantri Parivar Smridhi Yojna, as published by the State Government vide notification dated 06.02.2020, embodies a specific clause 8 appertaining to “Redressal Mechanism”. According to this Clause 8, the Director General, Treasuries and Accounts Department, Haryana or any other officer nominated in this behalf by the Government, would be the Nodal Agency for redressal of grievance, if any, under the

Scheme. Clause 8 is reproduced hereunder:-

“8. Redressal Mechanism

Director General, Treasuries and Accounts Department, Haryana or any other officer nominated in this behalf by the Government will be the Nodal Agency for redressal of grievance, if any, under the Scheme. The Administrative Secretary of Finance Department, Government of Haryana or such other officer nominated in this behalf by Government will be the Appellate Authority.”

5. In view of the above, this Court is of the view that, the claim made by the petitioners was required to be adjudicated by the authority bestowed with such powers under Clause 8 (supra). Therefore, the petitioners are relegated to the authority concerned. In case, the petitioners file any claim application/petition within 15 days from today, the competent authority concerned shall make all endeavours to decide the same within two months thereafter.

6. **Disposed of accordingly.**

May 14, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No