

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

118

**Civil Writ Petition No.15568 of 2015
Date of Decision:31.07.2015**

Sukhbir Singh

....petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.Saravpreet Singh Gurna, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

A writ in the nature of certiorari is prayed for, so as to quash the order dated 25.09.2013 (Annexure P3), vide which the claim of the petitioner for appointment on compassionate grounds, on account of the death of late Sh.Ajaib Singh, has since been rejected.

A bare analysis of the order being assailed, reveals that deceased Ajaib Singh was employed as a Chowkidar-cum-Gate Keeper, who unfortunately died on 05.11.2008. Concededly, he died issueless. Petitioner, who purports to be his adopted son could not substantiate that late Ajaib Singh was indeed his adoptive father. Even otherwise, post death of Ajaib Singh, petitioner along with his four brothers and father namely Harchand Singh (brother of Ajaib Singh) filed a Civil Suit No.382 of 2009, in the Court of Civil

Judge (Sr.Divn.), Derabassi, to claim the service benefit of the deceased. And pursuant to the decree passed by the civil Court, petitioner and others who were the plaintiffs in the said suit were held entitled to the dues of the deceased in five equal shares. Once that is so, the plea that the petitioner that was/is the adopted son of the deceased, is vitiated and pales into insignificance. Still further, nothing is brought on record to show that even the children of the family member of the brother of the deceased could claim appointment on compassionate grounds.

In the wake of the position as set out above, no interference is warranted under Article 226 of the Constitution of India. The petition being devoid of merit is accordingly dismissed, in limine.

31.07.2015

neenu

(ARUN PALLI)
JUDGE