

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

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LPA No.2101 of 2013 (O&M)
Decided on : 19.01.2015

Manpreet Singh

... Appellant.

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR.JUSTICE ASHUTOSH MOHUNTA
HON'BLE MRS.JUSTICE RAJ RAHUL GARG

Present : Mr.Amandeep Saini, Advocate
for the appellant.
Mr.Gurinder Pal Singh, Addl.AG, Punjab.
Ms.Jagriti, Advocate for respondent No.2.

Ashutosh Mohunta, J. (Oral)

The petitioner has challenged the judgment of learned Single Judge dated 19.09.2013 vide which the prayer of the petitioner for appointment on compassionate ground was rejected.

Brief facts of the case that father of the petitioner was working on the post of Senior Accountant in the office of Accountant General, Punjab. He died in harness on 24.03.2004. The deceased Sumitter Singh i.e. father of the petitioner left behind legal heirs i.e. his widow and three sons including the present petitioner. An application was submitted for appointment on compassionate ground by one of the brothers of the petitioner, namely Amarpreet Singh way back in the year 2005 which was rejected in the year 2005 itself. The petitioner had also given an affidavit in support of his brother stating that he has no objection if the appointment on compassionate ground is given to his brother. Thereafter the petitioner also filed an application for appointment on compassionate ground which was rejected in the same

way vide impugned order dated 14.03.2013 (Annexure P-10). It was stated that the petitioner met with an accident and he remained in coma and after he came out from it in the year 2009 an application was filed four years thereafter.

Learned Single Judge has rejected the claim of the petitioner on the ground that the application filed by the petitioner on compassionate ground was rejected way back in the year 2005 and this writ petition filed by the petitioner in the year 2013, which is highly belated.

Apart from the above, it was also held that the petitioner has already received Rs.5.5 lacs towards terminal benefits and deceased Sumitteer Singh had left behind a 2.5 marlas residential house and 2.5 marla plot at Mullanpur District Mohali, Punjab.

After going through the impugned judgment and hearing the learned counsel for the parties, we are of the considered opinion that father of the petitioner died way back in the year 2004 and there is no mitigating circumstances and no sudden financial crises that has fallen upon the family on account of the death of the bread earner which entitles the petitioner to grant appointment on compassionate ground.

Apart from the above, especially in view the fact that the writ petition was filed after a gap of nine years of the death of his father, no ground is made out to interfere in the order of learned Single Judge.

Dismissed.

[Ashutosh Mohunta]
Judge

[Raj Rahul Garg]
Judge

19.01.2015

