

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

102

**LPA-1518-2015 (O&M)
Date of decision:-16.10.2015.**

JAIDEEP SINGH

...Appellant

VS

STATE OF HARYANA AND ORS

...Respondents

**CORAM:- HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MRS. JUSTICE SNEH PRASHAR**

Present:- Mr. Amit Prashar, Advocate
for the appellant.

HEMANT GUPTA, J. (Oral)

The present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by learned Single Bench of this Court on dated 13.10.2014 whereby writ petition claiming writ of mandamus for directing the respondents to appoint the appellant on compassionate ground was declined.

The father of the appellant died on 17.08.2004 in harness. An application was submitted for appointment of the appellant on compassionate ground but a communication was addressed to the appellant on 28.02.2005 that the post of Clerk is not available in the Department presently. If the appellant wants appointment against a Class IV post then his consent should be sent. Such communication has been appended by the appellant with writ petition as Annexure P-6.

Admittedly, the petitioner did not respond to such communication except to state at the time of motion hearing of the present writ petition that he is ready to accept such offer. It was too late as such statement was made on 29.04.2013 i.e. almost 8 years later.

The learned Single Bench has rightly declined the prayer for appointment but allowed the alternative prayer of compensation.

It is well settled that appointment on compassionate basis is to meet immediate financial crises which fall on account of untimely death of the bread winner. The appellant by conduct refused to accept the offer of appointment on Class IV post in the year 2005 when the family required financial assistance. But now after 10 years, the appellant cannot be permitted to seek compassionate appointment as long lapse of time defeats the very purpose of appointment on compassionate grounds.

We do not find any error in the findings recorded warranting interference in the present appeal.

Dismissed.

(HEMANT GUPTA)
JUDGE

(SNEH PRASHAR)
JUDGE

October 16, 2015
SwarnjitS