

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

LPA No. 35 of 2015 (O&M)

DATE OF DECISION : 09.03.2015

Sarabjit Kaur

.... APPELLANT

Versus

State of Punjab and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. S.L. Chander Shekhar, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 13.11.2014 passed by the learned Single Judge, whereby the writ petition (CWP No. 1030 of 2014) filed by the appellant seeking quashing of the letter dated 07.11.2013 (Annexure P-6) denying the relief of compassionate appointment to her, has been dismissed.

Though there is delay of 5 days in filing the instant appeal and the appellant has filed an application (CM No. 83-LPA of 2015) for condoning the delay, yet we have heard learned counsel for the appellant on merits and have gone through the order passed by the learned Single Judge.

It is the case of the appellant that her two brothers were killed in a terrorist attack in the year 1990. It is further the case of the appellant

that vide the aforesaid letter dated 07.11.2013, her claim for compassionate appointment under the State Government instructions/policies dated 18.06.2002 and 09.07.2008 (Annexures P-10 and P-11) was rejected on the ground that she was not eligible for compassionate appointment under those instructions/policies. The appellant challenged the aforesaid letter by filing the aforementioned writ petition, which has been dismissed by the learned Single Judge on two grounds; firstly that under the instructions/ policies of the State Government, there is no provision for grant of compassionate appointment to the sister of a person killed in a terrorist attack; and secondly that the appellant made the claim for the said appointment after a period of two decades.

During the course of arguments, it has been disclosed by learned counsel for the appellant that now the appellant is married. However, it is the case of the appellant that she is looking after her old parents. That may be under moral obligation or legal obligation under the Hindu Adoption and Maintenance Act, 1956, but the fact remains that under the instructions/policies of the State Government, there is no provision for grant of compassionate appointment to the sister of a person killed in a terrorist attack. In these facts and circumstances, particularly when the claim for compassionate appointment was raised by the appellant at a belated stage, after a period of two decades of the death of her two brothers in a terrorist attack, we are of the opinion that the learned Single Judge has

rightly declined to interfere in the impugned letter denying the relief of compassionate appointment to the appellant. Thus, we do not find any ground to interfere in the order passed by the learned Single Judge.

No merit.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

March 09, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE