

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.625 of 2013 (O&M)
Date of Decision.03.09.2015

Kumari Nisha Devi

.....Appellant

Versus

Home Secretary, Home Department, Govt. of India and others

.....Respondents

Present: Mr. Kamal Mor, Advocate
for the appellant.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

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

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K. KANNAN J. (ORAL)

1. Delay of 230 days in filing the appeal is condoned.
2. The issue relates to denial of a compassionate appointment to the plaintiff for death of a public office holder in the year 1996. For the very nature of things, compassionate appointment is an exception to Article 14 and the appointment shall be carried within the time which the scheme itself prescribes. There can be no deviation from that and if for some circumstances which even the plaintiff may not have been responsible, if there has been an inordinate delay caused, such as in this case about 19 years when the matter comes up before me, it will be idle to be considering case of plaintiff whether she could be compassionately appointed. The compassionate appointment is provided only to relieve the family of immediate distress and if the plaintiff had coped with her life after the death of her father for nearly 19 years, then she must move on in life without looking for any props through Court's

intervention.

3. The second appeal is dismissed not on merits but on principle of law stating that compassionate appointment cannot be provided at fairly long distance of time from the death of the office holder.

**(K. KANNAN)
JUDGE**

September 03, 2015
Pankaj*