

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 12405 of 2009

Date of Decision : February 15, 2016

Rupinder Kajal Petitioner
vs.
State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. Arvind Singh, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

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DEEPAK SIBAL, J. :

Through the present petition, the petitioner claims appointment on compassionate grounds.

After hearing counsel for the parties and perusing the record of the case, the facts which have emerged are that on 06.02.1992, the father of the petitioner Head Constable Mahabir Singh died on duty. Initially, the petitioner's mother moved an application seeking compassionate appointment for the petitioner. However, soon thereafter, through

application dated 23.03.1992, she requested the Superintendent of Police, Ambala to appoint her brother-in-law Dheer Singh under the ex-gratia scheme. Acting on the later application submitted by her, by grant of relaxation in the required physical standards, through appointment order issued in the year 1992, Dhir Singh was appointed as a Constable under the ex-gratia scheme on account of the death of his brother i.e. father of the petitioner. The Court is informed that Dheer Singh continues to serve the Haryana Police till date.

In the meanwhile, in the year 2006, the petitioner, on attaining the age of majority, also moved an application for appointment on compassionate basis on account of death of his father. His request was rejected on account of aforementioned facts, which gave a cause to the petitioner to approach this Court through the present petition for the reliefs as mentioned earlier.

Once on the application of the mother of the petitioner, way back in the year 1992, one member of the family of the deceased has already been given appointment on compassionate basis, the claim of the petitioner for appointment of a second family member does not lie. No policy or instructions of the Government to this extent have been shown. In the present petition, neither Dheer Singh nor mother of the petitioner have been impleaded as parties. The application by the petitioner for seeking compassionate appointment was after 14 years of the death of his father and

the time, that has elapsed between the date of his father's death till date is 24 years. Grant of compassionate appointment after such a long delay would be against the very purpose for which the compassionate appointments are given.

In view of the above, I find no merit in the present writ petition and order dismissal of the same with no order as to costs.

(DEEPAK SIBAL)
JUDGE

February 15, 2016

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