

CWP No. 12129 of 2016

1

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

**CWP No. 12129 of 2016
Date of Decision : 03.12.2016**

Vinod Kumar

...Petitioner

Versus

The Medical Health Officer, Municipal Corporation, Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sanjeev Sharma, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner has sought a direction to the respondent to appoint him on compassionate ground. The father of the petitioner, who was working as a Sweeper in the respondent-Department, expired on 16.02.2000. Before any action could be taken thereon by the respondent-Department, mother of the petitioner sought appointment for her son on compassionate ground in lieu of death of her husband vide application dated 01.04.2000 (Annexure P-3).

I have heard learned counsel for the petitioner.

I am of the considered view that this petition is highly belated. The father of the petitioner is stated to have expired in the year 2000 while the instant petition has been preferred in the year 2016. It is well settled

that it is for the petitioner to approach this Court promptly without any delay to seek redressal of his grievance by invoking extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India. There is no explanation which has been set out as to why the petitioner remained silent for a period of over 16 years before preferring this petition. Even otherwise, it is trite that compassionate appointment has been carved out as an exception from the general principles of appointment in terms of [Article 14 & 16](#) of the Constitution of India. It is meant to enable the family of the deceased tide over immediate financial crisis which engulfs them on the death of the breadwinner. Compassionate employment cannot be claimed after lapse of over 16 years of the death of the employee as is being sought in the instant petition.

The petition being devoid of any merit stands dismissed.

December 03, 2016.

kanchan

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No