

CWP No. 15089 of 2016

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

**CWP No. 15089 of 2016
Date of Decision : 29.07.2016**

Ravinder Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: None.

P.B. Bajanthri, J.(Oral)

Matter called twice. None appears.

In the instant writ petition, petitioner has sought for direction to the respondents authorities to consider the petitioner for appointment on compassionate ground. The petitioner's father, who was a Technician in the respondents-Department, died on 27.09.2009. On 12.10.2015, petitioner submitted an application for compassionate appointment. Thereafter he submitted a representation on 08.04.2016. The respondents framed scheme for compassionate appointment vide Annexure P-1. Para 8 of the scheme is relating to belated requests for compassionate appointment, which reads as under :-

“8. BELATED REQUESTS FOR COMPASSIONATE APPOINTMENT

(a) Ministries/Departments can consider requests for compassionate appointment even where the death or retirement on medical grounds of a Government servant took place long back say five years or so. While considering such belated requests it should however, be kept in view that the concept of compassionate appointment is largely related to the need for immediate assistance to the family of the Government servant in order to relieve it from economic distress. The very fact that the family has been able to manage somehow all these years should normally be taken as adequate proof that the family had some dependable means of subsistence. Therefore, examination of such cases would call for a great deal of circumspection. The decision to make appointment on compassionate grounds in such cases may, therefore, be taken only at the level of the Secretary of the Department/Ministry concerned.

(b) Whether a request for compassionate appointment is belated or not may be decided with reference to the date of death or retirement on medical ground of a Government servant and not the age of the applicant at the time of consideration.”

The object of compassionate appointment scheme is either to meet immediately harness in the family or some minimum financial assistant to the family members of the deceased employee in order to overcome economic crises in the family. The petitioner slept over the issue of compassionate appointment for six long years to make an application from the date of his father's death, therefore, application for compassionate appointment is belated and stale one. Time and again Courts have held that

compassionate appointment is not a fundamental right to seek appointment on compassionate. So also belated claim is to be rejected in the present case, it is evident that deceased family members have no financial difficulties as they survived for six years.

Thus, the petitioner has not made out a case so as to seek direction for the respondents to consider his name for compassionate appointment.

Petition stands dismissed.

July 29, 2016.
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(P.B. BAJANTHRI)
JUDGE

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No