

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

Date of decision:03/08/2016

Arun Kumar

.....Petitioner

VS

State of Punjab etc.

.....Respondents

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Aakash Singla,Advocate for the petitioner.

Jaswant Singh,J(Oral)

Petitioner has challenged the order dated **22.3.2016 (P-6)** whereby his case for compassionate appointment has been rejected.

After hearing learned counsel for the petitioner at length, no case for interference is made out.

Compassionate appointment is being claimed on account of death of his father-Tarsem Lal,who died on 5.4.2009 while working as a Punjabi Master in the Education Department (Schools), Government of Punjab.

Concededly, at that point of time mother of the petitioner was also working as a Hindi Mistress in the Education Department(Schools) Government of Punjab. Mother of the petitioner subsequently sought voluntary retirement and stood retired w.e.f. 31.7.2013. Subsequently, she died in the year 2015.

Date of birth of petitioner is 1.1.1997 and as such at the time of death of his father he was 12 years old. After having completed his 10+2 he, in January 2016, made an application for compassionate appointment. The

reasons for declining his request, as contained in **P-6** are absolutely correct.

The instructions dated 21.1.2002 do not contemplate providing of compassionate appointment in case the other living parent is employed.

That apart the post to be filled up on compassionate ground is not post of inheritance which has to be kept vacant to be filled up after a long period of delay on attaining majority/educational qualification for the post by the applicant.

In view of the above, no case for interference is made out.

Dismissed.

03.08.2016
joshi

(Jaswant Singh)
Judge

Whether speaking/ reasoned	Yes/No
Whether Reportable:	Yes/No