

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

239

**CWP No. 18234 of 2015(O&M)
Date of decision:09.11.2016**

Surjit Kaur and another

.... Petitioners

Versus

State Bank of Patiala and another

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. H.S.Saggu, Advocate for the petitioners.

Mr. H.N.Mehtani, Advocate for the respondents.

P.B. Bajanthri, J. (Oral)

In the instant writ petition, the petitioners have sought for writ of mandamus directing the respondents to appoint one of the petitioner on compassionate ground due to death of Sh. Gurjinder Singh. Ist petitioner's husband Shri Gurjinder Singh died on 28.03.2003. She has submitted application on 10.04.2003. The respondent-Bank after assessing the family income declined to appoint on compassionate ground on 25.10.2004. However, rejection of petitioner's claim to appoint petitioner No.1 on compassinoate ground was not communicated to her till filing of the present petition.

2. Having regard to the facts of the present case it is evident that there is latches on both the petitioners as well as respondents-State Bank of Patiala in the matter. The petitioner slept over the matter from 2003 to 2015 in not approaching this court by seeking direction to consider her name for

appointment on compassionate ground.

3. On the other hand, State Bank of Patiala-respondent after due considering claim of petitioner no.1 to appoint on compassionate ground rejected her claim on 25.10.2004 with reference to income of the family. However, the same has not been communicated to petitioner No.1 till filing of this petition. Such rejection was brought to the notice to the petitioners only during pendency of the present litigation. Therefore, there is lapses on the part of State Bank of Patiala in not furnishing the information that Ist petitioner's claim to appoint her on compassionate ground was declined way back on 25.10.2004, whereby the petitioner was compelled to approach this court.

4. In view of these facts and circumstances, the respondents-State Bank of Patiala is directed to pay cost of Rs.25,000/- to the petitioner for not communicating the decision to decline the appointment on compassionate ground way back in the year 2004. Cost shall be paid by the respondents-State Bank of Patiala within a period of 3 months from today.

5. Petition stands dismissed on the ground of delay and laches.

09.11.2016

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No