

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.256 of 2016

Date of decision: 8.1.2016

Davinder Singh

...Petitioner

Versus

Punjab State Power Corporation Limited and others **...Respondents**

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. J.P.S.Sidhu, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner challenges the communication dated 10.4.2014 (Annexure P/3) whereby his request for compassionate appointment has been rejected on the ground that the petitioner had been given a sum of ₹ 3 lacs on 17.6.2011 as solatium. The other reason given is that since the date of death of employee was 17.8.2008 and as per instructions job is to be given only in the cases where the date of death is after 16.4.2010.

Counsel for the petitioner submits that classification is not justified and therefore, the petitioner is entitled for compassionate appointment.

The said argument cannot be accepted at this stage. It is an admitted fact that a period of more than 4 years has expired when the family of the petitioner was given a sum of ₹ 3 lacs. Once they had accepted the said amount and kept it with them and utilized the same from 17.6.2011 onwards, it means that they were duly satisfied with the compensation offered to them on account of death of employee.

In such circumstances, the petitioner is bound by the principle of estoppel and now cannot turn around that he is entitled for grant of compassionate appointment.

Resultantly, there is no merit in the writ petition and the same stands dismissed.

**January 08, 2016
Pka**

**(G.S.SANDHAWALIA)
Judge**