

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.7528 of 2015 (O&M)
Decided on : 01.04.2016

Gurpreet Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present : Mr.S.L.Chander Shekhar, Advocate, for the petitioner.

Mr.L.S.Virk, Addl.A.G., Punjab.

G.S. Sandhawalia, J. (Oral)

CM-3756-2016

Notice in the application.

Mr.Virk accepts notice on behalf of the respondents.

In view of the averments made in the application, same is allowed and the date of hearing is preponed. With the consent of counsel for the parties, the main case is taken on Board today itself.

Main case

Petitioner seeks the relief of a direction that a decision be taken on the application for appointment on compassionate grounds, on the basis of the fact that the three sons of Smt. Sita Vanti were killed at the hands of the terrorists and accordingly, Smt. Sita Vanti, who is the maternal grandmother of the petitioner, had made the said request.

It is the case of the petitioner that the application was made to the Deputy Commissioner-respondent no.3 on 19.05.2014 and was recommended on 27.06.2014 (Annexure P5), through the SDM, Zira.

The State, in its reply, has, however, taken a contrary stand that the petitioner had been adopted by Smt.Sita Vanti on 14.02.1991 and the adoption was not registered and it recommended that the application of the petitioner be filed, vide order dated 16.06.2015. It has been further averred that the petitioner is not covered under the Government instructions on compassionate appointment on the ground that the adoption was after the death of the persons killed in terrorist action.

Keeping in view the position, as noticed above, this Court is of the opinion that a formal order should be passed on the application of the petitioner by respondent No.3, giving reasons for declining or accepting the case. The same be conveyed to the petitioner, so that it shall be open to the petitioner to resort to his remedy under law, in case any adverse order is passed.

Writ petition stands disposed of, accordingly.

APRIL 1, 2016
sailsh

(G.S. SANDHAWALIA)
JUDGE