

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.1404 of 2016 (O&M)

Date of Decision: October 19, 2016

Rupinder Kajal

.....Appellant

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Arvind Singh, Advocate, for the appellant.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

This letters patent appeal assails the order dated 15.02.2016 whereby learned Single Judge has turned down the appellant's claim for appointment on compassionate grounds under the Ex-gratia Policy.

The facts are like this.

The appellant's father was a Head Constable in Haryana Police when he unfortunately died while on duty on 06.02.1992. The appellant was hardly five years old at that time. His mother moved an application to keep a post reserved for the appellant under the Ex-gratia Policy on which he could be appointed after attaining majority. Soon thereafter, she changed her mind and made an application dated 23.03.1992 seeking appointment of her brother-in-law (Dheer Singh) under the Ex-gratia Scheme. The said request was accepted and admittedly Dheer Singh was appointed as a Constable

under the Ex-gratia Scheme in the year 1992 after granting relaxation etc.

He is still in service in Haryana Police. The appellant raised his own claim for appointment under the Ex-gratia Policy in the year 2006 after attaining majority. As the authorities declined the same, he approached this Court but his writ petition has been dismissed vide order under appeal.

Having heard learned counsel for the appellant, we do not find any ground to interfere with the order passed by learned Single Judge. Under the Ex-gratia Policy, one of the dependent family member of the deceased-employee could be appointed. Such an opportunity has already been availed at the instance of mother of the appellant, hence, no further claim on that very basis is maintainable or can be entertained.

Dismissed.

[SURYA KANT]
JUDGE

October 19, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

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

CM No.2943 of 2016 in
LPA No.1404 of 2016

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Rupinder Kajal versus State of Haryana and others

Present : Mr.Arvind Singh, Advocate,
for the applicant-appellant.

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For the reasons mentioned in the application, the same is
allowed subject to all just exceptions and 76 days' delay in filing the appeal
is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

October 19, 2016
mohinder

(SUDIP AHLUWALIA)
JUDGE