

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.85 of 2016 (O&M)

Date of Decision: April 25, 2016

Gurbax Singh

.....Appellant

versus

Food Corporation of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.

Present: Mr.Rajesh Bansal, 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 is directed against the order dated 27.07.2015 whereby the learned Single Judge has dismissed the appellant's writ petition in which he sought his appointment on compassionate ground under the ex-gratia policy.

The appellant's father was working as Assistant Grade-II in the Food Corporation of India when he unfortunately passed away on 05.03.2003 while in service. The appellant is said to have applied for his appointment on compassionate ground under the ex-gratia policy on 03.03.2004 but after a long correspondence, the appellant came to know in the year 2011 that his application on scrutiny was found to be incomplete and he was required to submit

some additional documents. Finally, the case of the appellant was rejected which prompted him to approach this Court in the year 2013 to seek the above-mentioned relief.

Learned Single Judge has turned down the appellant's claim observing that the appointment has been sought after 12 years of the death of his father. That apart, the appellant himself is a married man with children and cannot be said to be dependent on his deceased-father.

We have heard learned counsel for the appellant at a considerable length and gone through the record.

We find no infirmity in the reasons assigned by the learned Single Judge. The object of ex-gratia appointment to the dependents of a deceased-employee who passed away suddenly is to tide over the crisis faced by the family due to the unforeseen circumstances. In this case the appellant has sustained himself for 12 years particularly when he is a married man with children, it is difficult to accept that he was at all dependent upon his deceased-father.

No case to interfere with the order passed by learned Single Judge is made out.

Dismissed.

[SURYA KANT]
JUDGE

April 25, 2016
mohinder

[A.B.CHAUDHARI]
JUDGE

CM No.194-LPA of 2016 in
LPA No.85 of 2016

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Gurbax Singh versus Food Corporation of India and others

Present : Mr.Rajesh Bansal, 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 168 days'
delay in filing the appeal is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

April 25, 2016
mohinder

(A.B.CHAUDHARI)
JUDGE