

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3830 of 1997

Date of Decision:-07.03.2017.

Pardeep Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. P.L. Verma, Advocate for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

P.B. BAJANTHRI, J. (Oral)

1.) In the instant writ petition, the petitioner has questioned the validity of the Government instructions dated 31.8.1995 vide Annexure P-9 and further communication dated 17.10.1995 vide Annexure P-6.

2.) The petitioner's father died on 24.5.1993 while he was in service. The petitioner's mother submitted representation to consider the petitioner's name for compassionate appointment. The grievance of the petitioner was rejected on 17.10.1995 while assigning the reason that the petitioner's mother was a Teacher and she was drawing more than ₹ 2500/- as on the date of death of petitioner's father and the policy dated 8.5.1995/31.8.1995 does not permit for consideration of compassionate appointment if the family income is more than ₹ 2500/-. It is undisputed

respondents have rejected the claim of the petitioner.

3.) The petitioner has questioned the validity of the instructions dated 31.8.1995. No ground has been made out as to is there any violation of Article 14 and 16 insofar as issuance of Notification dated 31.8.1995 and also the clause in the Notification that the compassionate appointment would be granted if the family income is lesser than ₹ 2500/-. It is a policy decision of the Government. Therefore, the petitioner has not made out a case so as to interfere with the instructions/Notification dated 31.8.1995 and also rejection of the petitioner's claim for compassionate appointment dated 17.10.1995. Further this Court in the case of Suraj Parkash Vs. State of Haryana has elaborately discussed in respect of compassionate appointment read with the family income criteria vide Annexure R-1. Hence, the petitioner has not made out a case.

4.) Petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

March 07, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.