

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CWP No. 19063 of 2016 (O&M)
Date of decision: 3.4.2017

Dilbagh Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ritesh Pandey, Advocate,
for the petitioner.

Mr. Rupam Aggarwal, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

1. The instant writ petition has been filed seeking compassionate appointment.

2. In brief, the facts are that the father of the petitioner died in an accident during the period of his extension in service on 9.2.2014. The mother of the petitioner made a representation regarding compassionate appointment to be given to her son, being a dependent of late deceased government employee. By impugned order dated 24.3.2016, the petitioner was informed that his case could not be considered for compassionate appointment on the ground that the deceased government employee was on extension period. The petitioner again made a representation that the instructions that were issued would not have any bearing on his case.

3. Learned counsel for petitioner contends that as per the letter

dated 21.10.2014 issued by the Government of Punjab, the rules regarding compassionate appointment to be offered to the dependents of the deceased employees working on extension have been amended and it had been clarified that if an employee dies during the extension period, no compassionate appointment can be made to the legal heirs, which amendment would not be applicable to the case of the petitioner. It is contended that the father of the petitioner expired on 9.2.2014 and immediately thereafter a representation was made regarding compassionate appointment. The rules as applicable on the date of the death of the deceased government employee would apply in case of the petitioner and not any rules/instructions that came into effect thereafter.

4. Learned counsel appearing on behalf of the respondent—State submits that the matter of the petitioner is under active consideration and a decision is likely to be taken soon.

5. In view of the above, learned counsel for the petitioner prays that the writ petition be disposed of with a direction to the respondents to decide the case of the petitioner afresh and preferably within a period of two months.

6. In view of this, the writ petition is disposed of with a direction the respondents to consider the case of the petitioner in terms of the rules/instructions as prevalent and applicable at the time of death of the father of the petitioner. Let the exercise be completed positively within two months from the date of receipt of a certified copy of this order. In case the petitioner is found entitled to the necessary relief, the same shall be given

within a month thereafter.

7. With the above directions, the writ petition stands disposed of.

3.4.2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No