

**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.19769 of 2016 (O&M)
Date of Decision:31.10.2017**

Sukhwinder Pal Singh

... Petitioner

Vs.

Food Corporation of India and others

... Respondents

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

Present : Mr. Anil Rana, Advocate for the petitioner.

Mr. Manav Bajaj, Advocate for the respondents.

P.B. BAJANTHRI J. (Oral)

C.M. No.15401 of 2017

The application is allowed as prayed for. Filing of certified copies of Annexures are exempted subject to all just exceptions.

C.M. No.15402 of 2017

The application is allowed as prayed for. Replication alongwith Annexures is taken on record.

Main case

In the instant petition, petitioner has sought for quashing of orders dated 24.12.2004 and 24.04.2006 (Annexures P-2 and P-3) and further sought for directions to the respondents to consider his claim for compassionate appointment on par with others.

Learned counsel for the petitioner submitted that no doubt, petitioner's claim for compassionate appointment was rejected on 24.12.2004 and 24.04.2006 vide Annexures P-2 and P-3. At the same time, it is submitted that case of one Shri Ravi Kumar was also similarly rejected, he had approached this Court in the year 2013 and this Court was pleased to allow his petition on 21.1.2014. Thus, petitioner is also entitled for relief.

Petitioner had the cause of action in the year 2004-05. He has slept over the matter. Moreover, he is a fence sitter for the reasons that after

disposal of Ravi Kumar's case on 21.1.2014, he has approached this Court in the year 2016 to contend that petitioner's case is similar to that of Shri Ravi Kumar. In the case of Ravi Kumar, question of delay and laches has not been taken into consideration. Therefore, case of the petitioner is distinguishable with the case of Shri Ravi Kumar. The object of considering compassionate appointment is to meet immediate harness in the family. In the present case, petitioner's family survived from 2004 to 2016, therefore, question of consideration of petitioner's name for compassionate appointment do not arise. Moreover, there is delay and laches on the part of the petitioner in airing his grievance.

Accordingly, petition stands dismissed.

31.10.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**