

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-16666-2017 (O&M)
Date of decision: 31.07.2017**

Baljeet Singh

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. L.S. Virk, Advocate for petitioner.

...

TEJINDER SINGH DHINDSA, J.

Claim in the instant petition is for appointing the petitioner on compassionate grounds.

As per pleadings on record, father of the petitioner, who was working as Operator under MARKFED died on 16.02.2014. It stands conceded that father of the petitioner had otherwise attained the age of superannuation but on the date of his unfortunate demise, he had been granted extension in service.

Petitioner without delay made an application for consideration of his claim for appointment on compassionate grounds and such application was forwarded by the District Manager, MARKFED, Sri Muktsar Sahib vide letter dated 11.07.2014 (Annexure P-2).

Apparently, the claim of the petitioner was not finalized as there was no clarity with regard to grant of compassionate appointments to wards of such employees who expired during the period of extension in service having been granted.

On 27.12.2016, the necessary clarification was issued by the Government of Punjab, Department of Finance at Annexure P-5 and in terms thereof, a decision was taken that even in respect of such employees,

who have been granted benefit of extension in service from 58 to 60 years (Group A, B and C) and 60 to 62 years (Group D), their legal heirs would be eligible for appointment on compassionate grounds. The memo dated 27.12.2016 further clarifies that such instructions would be implemented w.e.f. 08.10.2012.

Placed on record is a communication dated 28.02.2017 (Annexure P-6) and in the light of which the present petitioner was informed that his case for appointment on compassionate basis needs fresh consideration in view of Government Clarification dated 27.12.2016 and he was called upon to furnish certain documents detailed therein.

Counsel submits that the requisite documents have been furnished to respondent/authorities without any delay but till date the claim of the petitioner for compassionate appointment has not been finalized.

In view of the facts and circumstances noticed herein above and without going into the merits of the case, I deem it appropriate to dispose of the instant petition with a direction to respondent No.1 i.e. Secretary, Department of Food, Civil Supplies and Consumer Affairs, Punjab to finalize the claim of the petitioner as regards appointment on compassionate basis by taking a final decision on the legal notice dated 16.06.2017 (Annexure P-8) in accordance with law and under the relevant Policy/ Circular governing the issue expeditiously and in any case within a period of three months from the date of receipt of a certified copy of this order.

Disposed.

31.07.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|------|----------------------------|--------|
| (i) | Whether speaking/reasoned? | Yes/No |
| (ii) | Whether Reportable? | Yes/No |