

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.17996 of 2017 (O&M)
Date of Decision:-21.08.2017.

Satveer Singh

.....Petitioner

Versus

Union of India and others

.....Respondents

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

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

Petitioner has challenged the communication dated 26.3.2017 and 09.05.2017 (Annexures P-1 and P-2, respectively).

Petitioner's father died on 15.08.2007 while he was in service. Undisputedly, petitioner was a minor and he has attained majority only in the year 2008. He has submitted application for compassionate appointment on 01.03.2017. The same was rejected by the respondents on 26.3.2017 and 09.05.2017 on different grounds.

Learned counsel for the petitioner submitted that as on the petitioner's father's death, petitioner was minor and nobody was there in the family or well-wisher to advise the petitioner for seeking compassionate appointment. Thus, there is a delay in approaching the respondents. Annexure P-1 and P-2 are contrary to the policy in respect of consideration to compassionate appointment.

Heard learned counsel for the petitioner.

Perusal of the dates and events like petitioner's father's death being 15.8.2007 and he has attained majority in the year 2008. Petitioner kept quiet from 2008 to 2017 in seeking compassionate appointment. In the petitioner's family, there was no harness during the period as on the date of death of petitioner's father since petitioner's family is being run smoothly from 15.8.2007 to 2017. The object of giving compassionate appointment is to meet the harness in the family. Supreme Court in the case of **Union of India and another Vs. Shashank Goswami and another** reported in **2012 (11) SCC 307** held that seeking compassionate appointment is not a right. Thus, on the ground of delay and laches on the part of the petitioner, petitioner has not made out a case so as to seek quashing of Annexure P-1 and P-2 and further seeking a direction the respondents to consider his name for compassionate appointment.

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

August 21, 2017.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.