

CWP No.21953 of 2017

[1]

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

**CWP No.21953 of 2017
Date of decision:26.09.2017**

Sarvjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner is praying for a writ in the nature of *mandamus* to direct respondents no.1 and 2 to consider his case for compassionate appointment, being dependent of a person who was killed in the terrorist operation.

The petitioner is the resident of Pathankot. He has alleged that his father had gone to Jammu on 09.08.1989, worked there as a Labourer and was killed by the terrorists. The petitioner was minor at that time and after attaining the age of majority, an application was sent by her mother to provide job to the petitioner on compassionate ground.

It appears that the petitioner had earlier made a request to the Deputy Commissioner, Jammu, for compassionate appointment but while interpreting Rule 2(c) of the Jammu and Kashmir (Compassionate Appointment) Rules, 1994, the Deputy Commissioner, Jammu, vide his letter dated 01.03.2007, informed the petitioner that since the deceased was not a permanent resident of the State of Jammu and Kashmir, therefore, his case

cannot be considered. The petitioner has now prayed that he may be given compassionate appointment by the State of Punjab but the Deputy Commissioner, Gurdaspur, vide his letter dated 26.07.2011, informed that financial assistance of ₹25,000/- was given to the widow of the deceased by the Deputy Commissioner, Jammu and Sub Divisional Magistrate, Pathankot had issued Red Card No.15 dated 11.10.1994 to the mother of the petitioner and apart from that, ₹2,500/- per month is also being given to his mother as pension.

Counsel for the petitioner has submitted that the petitioner be given compassionate appointment by the State of Punjab but has not attached any material with the petition, much-less the policy/guidelines, on the basis of which this Court could take a decision as to whether the petitioner is eligible for the purpose of compassionate appointment or not.

Consequently, no relief can be given to the petitioner in this writ petition and hence, the same is hereby dismissed, though without any order as to costs.

September 26, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No