

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

**CWP-28659-2017 (O&M)
Date of decision:15.12.2017**

Aakanksha Sharma

... Petitioner

Vs.

State of Punjab & others

... Respondents

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

Present: Mr. R.K. Arora, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Pleadings on record indicate that father of the petitioner, namely, Kulwant Rai Sharma was serving as a Clerk under the Department of General Administration, State of Punjab. He was a victim of terrorist violence and was killed on 22.11.1990. Petitioner at that stage was a minor being 1 year 3 months old. Petitioner attained majority in the year 2007 and immediately thereupon submitted an application seeking appointment on compassionate basis.

Counsel very fairly concedes that mother of the petitioner is also a government employee and holding the post of Clerk in the office of the Accountant General, Punjab. Contention raised is that inspite thereof petitioner had a right to be considered for compassionate appointment under the Instructions dated 05.02.1996 (Annexure P-10) issued by the Government of Punjab, Department of Personnel and Administrative Reforms (Personnel Policies-I Branch) on the subject of grant of employment in the State service on compassionate grounds.

The short grievance raised in the instant petition is that till date

no final decision on the claim of the petitioner seeking compassionate appointment has been taken and conveyed.

Counsel limits his prayer at this stage for issuance of directions to the appropriate authority to take a final decision on the claim of the petitioner.

In the light of such limited prayer raised by counsel, I deem it appropriate to dispose of the instant petition with a direction to the first respondent i.e. the Additional Chief Secretary to Government, Department of General Administration, State of Punjab to consider the claim of the petitioner under the relevant policy/instructions on the subject of compassionate appointment and to take a final decision on the representation dated 26.07.2017 (Annexure P-27) expeditiously and in any case within a period of three months from the date of receipt of a certified copy of this order.

It is, however, made clear that this Court has not expressed any opinion on merit as regards the claim of the petitioner seeking appointment on compassionate basis.

Disposed of.

15.12.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No