

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.4270 of 2017(O&M)
Date of Decision: 30.11.2017

Sandeep Singh

--Petitioner

Versus

The Punjab State Power Corporation
Limited and others

--Respondents

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

Present:- Ms. Maninderpreet Kaur, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner assails the order dated 14.3.2005 passed by the competent authority under the erstwhile Punjab State Electricity Board, whereby claim of the petitioner seeking appointment on compassionate basis, has been declined.

Counsel for the petitioner has been heard at length.

It is the pleaded case of the petitioner himself that his father Sh. Mohinder Singh, who was serving as a Senior Line Man under the Punjab State Electricity Board died on 7.4.2004 in harness.

Perusal of the impugned order would reveal that the respondent-Board has released to the heirs of the deceased employee one time compensatory allowance of an amount of Rs.3 lacs. Such amount was duly received and not under protest.

Even though, counsel made an attempt to impress upon this Court that petitioner was vested with a right to be considered for appointment on compassionate basis, yet, it cannot be lost sight of that rejection of the claim of the petitioner was more than a decade back.

Compassionate appointment is not a right. It is neither a mode of recruitment. In the case of ***Umesh Kumar Nagpal Vs. State of Haryana, 1994(3) S.C.T, 174***, it had been settled that the objective of the compassionate appointment is to mitigate the sudden financial distress that the family comes under when an employee dies in harness. By its very objective a claim for compassionate appointment is to be considered and dealt with in close proximity of the date of death.

Petitioner has chosen to impugn a decision declining compassionate appointment taken in the year 2005 by filing the instant petition in the year 2017.

The one time compensatory allowance having already been accepted, this Court does not find any basis that would warrant interference.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

30.11.2017

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No