

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

Date of decision: 24.03.2017

CWP No.6178 of 2017

Suman Sharma

...Petitioner

Vs.

Union of India & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

RAJIV NARAIN RAINA, J. (ORAL)

The instant petition has been filed by the mother seeking directions for appointment of her son in the Indian Army on compassionate grounds. The person aggrieved is actually the son who is not before the Court claiming relief and, therefore, his personal views are not known on affidavit as to whether he wants a job or not or whether his mother is compelling him through the litigation brought by her on behalf of her son.

In order to know that he is not a reluctant person and is personally aggrieved by the delay of the authorities in deciding his case, he must step forward himself and file a writ petition even though his mother was in correspondence with the Army earlier pressing the claim. It is not that the mother has no *locus standi* but still for the full and complete adjudication of the controversy involved, the son should have been a co-petitioner at least. This course if adopted would have satisfied the Court to think of relief that the son of the petitioner may press for directions to the respondents to provide him a job ex gratia since there is no power on earth

which can compel a man to do a thing which he does not want to do. Therefore, a request is made by the learned counsel to permit him to withdraw this petition with liberty to file a fresh one on the same cause of action in proper form by impleading necessary parties to the dispute, duly arrayed in the petition in the cause title to ignite the jurisdiction of the writ Court whether it ends in failure or success.

It is so ordered with the liberty as orally prayed and the petition is accordingly dismissed as withdrawn.

24.03.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>