

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

LPA No.1014 of 2017 (O&M)

Date of Decision : 09.08.2017

Kanta Sharma and another

....Appellants

Versus

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Ajay Kaushik, Advocate
for the appellants.

...

MAHESH GROVER, J. (Oral)

CM Nos.2163 & 2164-LPA of 2017

Delay of 18 days in filing and 81 days in re-filing the
appeal is condoned.

C.Ms.stand allowed.

LPA No.1014 of 2017 (O&M)

The appellants impugn the judgment of the learned
Single Judge dated 03.12.2016.

The appellant No.1 lost her husband who was an
Assistant Sub-Inspector with the official respondents in a road
accident. Thereafter she made a request that his younger son be
appointed on compassionate ground. The official respondents
instead gave a compensation of Rs.5 lakhs which was deposited
in the account of appellant No.1 but she insisted that appointment

be given to her son on compassionate ground.

The learned Single Judge while placing reliance on *Umesh Kumar Nagpal v. State of Haryana and Ors.*(1994) 4 SCC 138 concluded that compassion is to be exercised within the law. The amount of compensation was given to appellant No.1 in terms of a policy. The law clearly mandates now that the financial status of the family has to be ascertained and taken into consideration before taking recourse to compassionate appointment. Evidently, the family of an Assistant Sub Inspector of Police was not in such a dire financial state as to warrant recourse to compassionate appointment and, therefore, a healthy compensation of Rs.5 lakhs was given in accordance with the policy.

We thus do not find any reason to interfere as the decision of *Umesh Kumar Nagpal's* case (supra) has been rightly applied.

Dismissed.

(MAHESH GROVER)
JUDGE

09.08.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No