

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

**Civil Writ Petition No. 11091 of 2016 (O&M)
Date of Decision: 07.05.2018**

Raj Kumar

..... Petitioner

Versus

The State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Gaurav Sharma, Advocate for
for the petitioner.

Mrs. Ishneet Kaur, Assistant Advocate General, Punjab
for the respondents/State.

JASWANT SINGH, J. (ORAL)

Petitioner (Raj Kumar) has filed present writ petition under Articles 226 and 227 of the Constitution of India seeking quashing of order dated 22.09.2016 (**Annexure P-5**) passed by the District Education Officer (S.E.), Shaheed Bhagat Singh Nagar (Nawan Shahar), whereby his claim for appointment as Class-IV employee on compassionate ground has been rejected, as also issuing a mandamus to the respondents for appointment as Peon on compassionate ground in view of the instructions issued by the State Government from time to time.

This Court, while issuing notice of motion vide order dated 30.05.2016, had passed the following order:-

“ Inter-alia submits that the petitioner's father had expired earlier and the mother was employed as Peon and she had expired during her period of service. The petitioner had applied for compassionate appointment and rejection vide order dated 24.11.2015 (Annexure P/5) has been passed on the ground that as per dependent certificate issued by the

Deputy Commissioner, petitioner was not depicted as dependent on late Smt. Parvati. It is submitted that there is no dispute interse legal heirs and once the consent was there from other legal heirs, the reasoning is not justified and there was no need to refer to the dependent certificate.

Notice of motion for 10.8.2016. ”

Upon notice, a reply on behalf of the respondents/State stands filed. In para-2 of the reply, it is stated that on reconsideration of the matter, the petitioner is found eligible to be appointed on compassionate ground on account of death of his mother-Smt. Parvati, and consequently, he has been offered appointment to the post of Peon-cum-Chowkidar vide letter dated 07.08.2017 (**Annexure R-1**) and posted as such in Government High Court, Kangror, District Shaheed Bhagat Singh Nagar, which has also been accepted by the petitioner on 08.08.2017.

At the time of hearing, counsel for the petitioner concedes the above said factual position and states that nothing more survives for adjudication in the present writ petition, as the same has become infructuous.

Dismissed as infructuous.

May 07, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>