

Sr.No.205

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CWP NO.821 OF 2009(O&M)

Date of Decision: 22.01.2018

Chandigarh Administration

.....Petitioner

versus

Ram Kumar and another

.....Respondents

**CORAM HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present Mr.Suvir Sehgal, Sr. Standing counsel with
Mr. Akshay Sethi, Advocate for the petitioner.
Mr.Ashok Giri, Advocate for respondent no.1.

MAHESH GROVER, J(ORAL)

Present writ petition was filed against the order dated 16.01.2008 of Central Administrative Tribunal, Chandigarh directing the official respondents to reconsider the matter regarding compassionate appointment.

The relevant portion of the Tribunal's order dated 16.01.2008 is extracted here below:-

“ In view of the above discussion, this O.A is allowed. Impugned order, Annexure A-1, is quashed and set aside. Respondents are directed to consider the case of the applicant in accordance with the Scheme and subsequent instructions afresh and observations made above, within a period of three months from the date of receipt of copy of this order. No costs.”

The matter has remained pending on the Board for sufficiently long time and in the meantime, the question regarding the applicability of

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instructions prevailing on the date of death or on the date of consideration was considered by Full Bench of this Court in **Krishna Kumari v. State of Haryana and others 2012(2) SCT 736** in which the Full Bench has held that the instructions prevailing on the date of death would be applicable to consider the issue of compassionate appointment.

Therefore, we dispose of the petition directing the writ petitioners to reconsider the issue of compassionate appointment in light of the Full Bench decision extracted above. Reconsideration be granted within a period of two weeks' from the date of receipt of certified copy of order.

(MAHESH GROVER)
JUDGE

22.01.2018
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(RAJBIR SEHRAWAT)
JUDGE

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