

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

CWP No. 21773 of 2015 (O&M)

Date of decision: 17.07.2018

Mohd. Dilshad

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd., and others

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.K. Arora, Advocate for the petitioner(s).

Mr. B.S. Mittal, Advocate for the respondents.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, the petitioner seeks quashing of impugned order dated 04.02.2015, 11.02.2014 and 23.04.2014 passed by Superintendent Engineer, Area Division, Barnala, Under Secretary, Personnel-cum-Chief Engineer, Administration and Assistant Executive Engineer Rural, Malerkotla (Annexure P-10 to P-12 respectively) whereby the claim of the petitioner for appointment on compassionate grounds was rejected.

Heard.

As per record, the death of father of the petitioner, namely, Hanif Mohd., Assistant Lineman, in the instant case happened in the year 1994 in harness. The petitioner was minor at that time and none from the family of the petitioner laid claim in

view of the policy (Annexure P-15) operative in the year 1994. It was only in the year 2007, the petitioner on attaining majority approached the respondents for appointment on compassionate ground. There is no record of availing the policy of 1994 and first time, the matter was taken up in the year 2007. In view of the facts and circumstances of the case, the Court feels that no case for appointment on compassionate ground is made out. However, as admitted by learned counsel for the respondents that rather the petitioner along with other legal representatives of the deceased are entitled to solatium as admissible in such cases in view of the policy of 2004 (Annexure R-1). The Corporation was under obligation to offer the benefit as and when it became due to the deceased employee for the welfare of his family. The same has not been done till today. In view of the admission, the respondents are directed to pay the amount of solatium along with interest @ 7.5% p.a. to the petitioner and other legal representatives of the deceased in equal proportion from the date it accrues till the payment is made. Needful be done within six months from today.

Disposed of.

17.07.2018

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No