

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

**Civil Writ Petition No.8099 of 2012 (O&M)
Date of Decision: 21.02.2018**

Ranjit Kaur and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. J.S.Thind, Advocate for the petitioners.

Mr. Manoj Bajaj, Additional Advocate General, Punjab
for respondent No.1.

Mr. Naveen S. Bhardwaj, Advocate for respondent Nos.2 to 5.

None for private respondent Nos.6 and 7 despite service.

JASWANT SINGH, J. (Oral)

The widow-Ranjit Kaur and five children of late Swarn Singh have filed the present writ petition, claiming a direction to the erstwhile PSEB (successor Punjab State Power Corporation Limited) for appointing the widow as a Class-IV employee on compassionate grounds due to the death of her husband in harness while working as Assistant Lineman (ALM) on 28.06.2006. They have further laid challenge to the memo dated 30.03.2012 (**Annexure P-6**), whereby the widow has been asked to submit an affidavit within seven days, granting no objection to the appointment of the step-son Bhupinder Singh on compassionate basis, failing which, her pensionary benefits were liable to be stopped.

Upon notice, an affidavit dated 09.08.2017 of Er. Kashmir Singh has been filed, wherein it is stated that as per the Policy dated 23.11.2004 issued by the PSPCL, there is no provision of compassionate appointment. It is further submitted that only financial benefits are admissible and all the admissible benefits have since been released, as stated in Para 12 of the written statement except solatium amount, which is liable to be disbursed on the conclusion of the litigation between Bhupinder Jit Singh, son from the first wife and Ranjit Kaur widow, the second wife. It is further stated that the impugned memo/Notice (**P-6**) has since been withdrawn as the same was inadvertently issued and appropriate action has been initiated against the officials responsible for such issuance.

After hearing learned Counsel for the parties, this Court finds that the present writ petition is bereft of any merit.

It is not disputed that on the date of death of the husband-employee on 28.06.2006, the prevalent policy was dated 23.11.2004, providing for financial assistance and not compassionate appointment. It is apparent that the admissible benefits, as fully detailed in Para 12 of the written statement, have since been released to the petitioners except the solatium amount. As per the written statement, the solatium amount is to be disbursed on conclusion of the litigation, however, in the light of the affidavit filed by Bhupinder Jit Singh with the written statement, learned Counsel for the respondent(s) undertakes to have a fresh look regarding disbursement of the retained solatium amount as per the Policy.

In view of above, no further adjudication is required.

Accordingly, the present writ petition is dismissed, however, the respondents are directed to consider the disbursement of the retained solatium

amount in case there is no dispute regarding release of the same pending between two set of legal heirs of the deceased employee. The exercise shall be done positively within three months from the date of receipt of certified copy of this order.

February 21, 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>