

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

**Civil Writ Petition No.26407 of 2016
Date of Decision: 22.01.2018**

Amandeep Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the petitioner.

JASWANT SINGH, J. (Oral)

The father of the petitioner, namely, Joginder Singh, who was working as a regular Skilled Worker with the respondent-Department, had died on 28.10.1998 during his service. The mother of the petitioner, namely, Paramjit Kaur had filed a Civil Suit for declaration that she is entitled for the post of Peon on compassionate grounds being widow of late Sh. Joginder Singh instead of defendant No.4-Tej Kaur, who was proceeded against *ex parte*. The said civil suit was dismissed by the trial Court vide order dated 08.09.2006. Aggrieved against the same, she has preferred an appeal, which was also dismissed by learned lower Appellate Court, Bathinda, vide order dated 16.01.2007. Thereafter, she has preferred an appeal before this Court bearing RSA No.737 of 2007. This Court had issued notice only as regards the right of the children from second wife to receive the retiral benefits. Thereafter, the said appeal was *admitted*, vide order dated 22.04.2008, mentioning that substantial questions of law, as contained in Para 8 of the grounds of appeal, arise for determination. The mother-Paramjit Kaur and her two daughters furnished their affidavits mentioning that the retiral benefits as well as job on compassionate ground be given to the petitioner and they have no objection to the said effect.

This Court, vide order dated 03.05.2017, had passed the following order:-

“ *At the time of hearing, it is conceded that the mother of the petitioner namely Paramjit Kaur has not been held by two Courts to be the legally wedded wife of late Joginder Singh (father of the petitioner). The RSA against the concurrent findings of facts against the mother Paramjit Kaur concededly stands “admitted”, therefore, the legal status of the petitioner is that of illegitimate child of late Joginder Singh.*

Learned Counsel for the petitioner prays for time to place on record the Rules/Instructions entitling the Illegitimate Children to payment of Solatium in lieu of compassionate appointment.

List on 18.07.2017. ”

The petitioner has filed the present petition seeking directions to the respondents to consider his appointment as Peon on compassionate ground, as also to release the solatium with interest @ 16% from the date of death of his father i.e. on 28.10.1998.

Neither anyone has caused appearance on behalf of the petitioner to argue the case nor any request for pass-over the case has been made. A perusal of the previous orders reveals that on most of the hearings, none had appeared on behalf of the petitioner. It appears that the petitioner is not interested in pursuing the present petition.

In view of the above, the present writ petition is dismissed for non-prosecution.

January 22, 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>