

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-23164-2018 (O&M)
Date of Decision:-18.12.2018.

Indu Bala @ Indu

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. S.K. Choudhary, Advocate for the petitioner.

ARUN MONGA, J. (Oral)

1.) The present petition has been filed seeking issuance of a writ in the nature of *mandamus* for directing the respondents to decide the representation dated 01.10.2017 (Annexure P-10) whereby the petitioner is seeking employment on compassionate ground.

2.) Learned counsel for the petitioner contends that the petitioner is a 38 years old widow having 9 years old daughter. She lost her husband in harness on 22.03.2011 after 3 years of being married. He contends that husband of the petitioner died a very tragic death due to negligence of unknown GREF labourers having been hit by some unknown explosive substance. He states that despite having waited for 6 years, the petitioner continues to be unemployed.

3.) Notice of motion.

4.) At this stage, Mr. Shivoy Dhir, Senior Panel counsel appears and accepts notice on behalf of Union of India-respondents.

5.) Keeping in view the contents of the writ petition and the contentions of the learned counsel for the petitioner, the present petition can be disposed of without any further proceedings.

6.) Learned counsel for the petitioner states that the petitioner submitted representation dated 01.10.2017 (Annexure P-10) to the respondents for mitigation of the petitioner's grievance and till date the same has not been adverted to by them.

7.) *Per contra* learned counsel for the respondents states that vide order dated 07.03.2017 (Annexure P-8), the petitioner has already been conveyed that compassionate appointment can be made upto maximum of 5% of the vacancies of Direct Recruitment Quota in Group 'C' post. Even though the petitioner's case for compassionate appointment has been recommended but she has been positioned at Serial No.312 out of the 676 recommended candidates in merit list as on November 2016. He states that as and when the name of the petitioner would come up for consideration as per the merit list, the call letter would be issued. He points out that vide said communication dated 07.03.2017 (Annexure P-8) it has been rightly informed to the petitioner that call letter cannot be issued as her name reflected as serial No.312 in the merit seniority with the other candidates who are similarly situated in view of the fact that all of them are seeking appointment on compassionate ground.

8.) In this view of the matter, the present petition is disposed of with the direction to the respondents to consider the case of the petitioner as per the merit list as and when her turn comes up on the list of recommended candidates for compassionate appointment.

9.) Disposed of.

(ARUN MONGA)
JUDGE

December 18, 2018.
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.