

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

**CWP No.4049 of 2018
Decided on :10.05.2018**

Shailza

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Sanjiv Kumar, Advocate for
Mr. Rakesh Gupta, Advocate for the petitioner.

G.S. Sandhawalia, J. (Oral)

The order under challenge is dated 16.02.2016 (Annexure P-2), whereby the request for compassionate appointment has been declined, on account of two family members being in Government service.

The petitioner's father was working as Senior Assistant in the respondent-Corporation and had died on 10.11.2015. It is admitted case of the petitioner that the mother is already in Government service and the brother also is in Government service.

Counsel has placed reliance upon Clause-11 of Scheme for Compassionate Appointment-2002 (Annexure P-4) to submit that the Secretary of Department with prior approval in deserving cases could consider for a compassionate appointment after satisfying himself.

The Apex Court has time and again held that compassionate appointment is not a regular source of recruitment and it is only for the purpose of giving immediate relief to the family who might be in penury at that point of time. Reference can be made to

'Umesh Kumar Nagpal Vs. State of Haryana' 1994 (4) SCC 138,

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AT CHANDIGARH**

CWP No.4049 of 2018

-2-

which has been followed in '**Shreejith L. Vs. Deputy Director (Education) Kerala and Others**' (2012) 7 Supreme Court Cases 248 and in '**Union of India and others vs. Sima Banerjee**', 2017 (1) RSJ 351 has held so.

Nothing has been as such detailed as to the status of other family members who are employed with the Government to bring the case within the ambit of deserving cases, whereby the respondents may re-consider the case of the petitioner.

In such circumstances, this Court feels that no case is made out to interfere in the impugned order dated 16.02.2016 (Annexure P-2). The writ petition is, accordingly, dismissed in limine.

MAY 10, 2018
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No