

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

CWP-7276-2019 (O & M)

Date of decision: 18.03.2019

Kashmir Singh

.... Petitioner

V/s

State of Punjab and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ajay Kalra, Advocate, for the petitioner.

Rajan Gupta, J. (Oral)

Petitioner's father, who was working as a Peon, died on 13th April, 2003. Thereafter, petitioner made an application for appointment on compassionate grounds. Same was accepted and petitioner was offered appointment as Watchman. Petitioner joined as such in September, 2003. He has preferred the instant writ petition stating that he should have been given appointed to a Class III post. He submitted an application under Right to Information Act and came to know that his initial recommendation was for appointment to a Class III Post. However, he was arbitrarily made to join on a Class IV Post. A direction, thus, needs to be issued to the respondents to appoint the petitioner on Class III Post. He, however, would not claim any consequential benefit.

The Court finds that the petitioner has misused the process of law. He willingly joined as a Watchman in the year, 2003. His father himself was on a Class IV post. The petitioner appears to have lost sight of the fact that the appointment on compassionate grounds is a concession and not a right. Reference to some information obtained under the Right to

Information Act that recommendation was to appoint on a Class III post, does not vest a right in petitioner to claim such appointment. Besides, present petition has been filed after lapse of more than 15 years after the petitioner joined as Watchman. Petition has not only been filed after much delay but is wholly misconceived.

At this stage, learned counsel for the petitioner submits that he may be allowed to withdraw this petition.

Dismissed as withdrawn.

March 18, 2019
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No