

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

CWP No. 4691 of 2019

Date of decision : 27.03.2019

Shubhpreet Singh

....Petitioner

V/s

The State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

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

RAJAN GUPTA J.

Petitioner is working as a Constable in the police department. His uncle is stated to have been killed in an encounter in the year 1989. Petitioner, thus, applied for appointment on compassionate grounds. After due consideration of his plea, he was appointed as Constable on 15.02.2016 and has been continuing as such. Present petition has been preferred by him seeking appointment on the post of ASI instead of Constable. It has been urged before the court that certain other persons have been appointed on higher posts. He has referred to one order, Annexure P-16 passed by the Director General of Police, Punjab and also order passed by this court in CWP No. 21444 of 2010 (Annexure P-15).

I am not convinced with the plea. Law is well settled that appointment on compassionate grounds is a concession and not a right. Besides, petitioner was not directly related to the deceased. Yet he was granted the benefit of appointment. As regards parity with other persons appointed on higher posts, the plea is wholly untenable. Petitioner cannot invoke negative inequality for the purpose of appointment, having already

accepted the posts of Constable. Reliance on order passed in CWP No. 21444 of 2010 is also misplaced. The said order has been passed in the facts and circumstances of the said case and there is nothing to show that it lays down law within the meaning of Article 141 of the Constitution of India. Petition is, thus, without any merit and is hereby dismissed.

March 27, 2019
Ajay

(RAJAN GUPTA)
JUDGE

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