

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

CWP No. 12873 of 2019

Date of decision : 16.05.2019

Vikas Rana

...Petitioner

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rajeev Anand, Advocate for the petitioner.

RAJAN GUPTA J.

Petitioner has preferred this writ petition in the nature of mandamus seeking a direction to respondents to appoint him on a Group 'C' post on compassionate grounds. Father of the petitioner, who was working as a Restorer in the respondent-department, died on 23.01.2016. Petitioner, thereafter, submitted an application for appointment on Group 'C' post. As no response was received, he submitted a representation. He was, thereafter, offered a Group 'D' post which he joined on 23.05.2016. He has been working as such since then. His grievance is that he is qualified to be appointed against a Group 'C' post but his request has not been considered. This court is not convinced with the plea. It is evident that appointment on compassionate grounds is granted to enable the family to tide over the immediate financial crises which it faces on death of only earning member of the family. Besides, appointment on compassionate grounds is a concession and not a right. Petitioner was duly considered and offered a Group 'D' post. He cannot seek appointment on a higher post to enhance his status. This court cannot lose sight of the fact that the movement a post is

taken out of the regular cadre, candidates are deprived from competing against the same on merit. Petition is, thus, without any merit and is hereby dismissed.

May 16, 2019
Ajay

(RAJAN GUPTA)
JUDGE

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