

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

CWP No.12631 of 2019
DATE OF DECISION : 14th MAY, 2019

Gurpreet Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

* * * *

Present : Mr. D. S. Patwalia, Senior Advocate with
 Ms. Gurjot Grewal, Advocate for the petitioner.

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RAJAN GUPTA, J. (Oral)

Petitioner is aggrieved by order dated 08.03.2019 passed by District Collector, Hoshiarpur whereby he has withdrawn order dated 23.03.2018 appointing the petitioner as Kanungo. Mr. Patwalia has urged before the court that originally the case of the petitioner was recommended for the post of Kanungo. He was, however, offered the post of Patwari. He accepted the same under protest and continued in service. Later, he sought information under the Right to Information Act which revealed that he was actually recommended for the post of Kanungo and he made a representation in this regard. Resultantly, his case was considered by the competent authority and he was actually appointed as Kanungo vide order dated 23.03.2018 (Annexure P- 13). The persons who were already working as Kanungos protested against the appointment of the petitioner. Even a writ petition i.e. CWP No.14845 of 2018 was filed, wherein while issuing notice of motion, operation of order dated 23.03.2018 was stayed. Petitioners in that case placed reliance on judgments titled as *State of Haryana versus Naresh*

Kumar Bali, 1994 (3) SCT 590 and ***State of Rajasthan Vs. Shri Umrao Singh, 1995(1) SCT 46***. The petition was ultimately rendered infructuous as the order appointing the petitioners therein as Kanungo was withdrawn, vide order 08.03.2019 (Annexure P-16).

I find no ground to interfere in writ jurisdiction. It is well settled that compassionate appointment is granted only to enable the family to tide over the sudden financial crises that it faces on death of only earning member of the family with a view to provide succour in the time of crisis. [see ***Umesh Kumar Nagpal v. State of Haryana 1994 (4) SCC 138***]. Besides, petitioner's father died in the year 1988 when he was a minor. He attained majority more than two decades thereafter i.e. in the year 2011. The State considered the case of the petitioner even after a lapse of such a long time and offered him appointment as Patwari, which he accepted. Needless to observe that appointment on compassionate basis is a concession and not a right. In view of the fact that the petitioner was appointed in the year 2012 as Patwari and has been continued as such, no interference is called for. The petition is hereby dismissed.

14th MAY, 2019
'raj'

(RAJAN GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>