

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.14858-2018 (O&M)

Date of decision: March 11, 2019

Harpreet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Surinder Garg, Advocate for the petitioner.

Rajan Gupta, J.(oral)

The petitioner has prayed for a writ of certiorari for quashing order dated 22.04.2018, passed by respondent No.2, whereby his claim for appointment to the higher post has been rejected. Further he seeks direction to respondents to offer him appointment on Class-III post on compassionate ground from the date he became eligible with all consequential benefits and interest.

The brief factual matrix of the case is that father of petitioner had been working as driver with Punjab Roadways, Hoshiarpur Depot, who had died during his service on 18.08.1989, when petitioner was 11 years of age. On 04.11.1994, petitioner submitted application for compassionate appointment. On 21.04.1995, he was informed that his name was kept in the waiting list of Class-IV employees. Later on, petitioner passed his matriculation examination. Ultimately, he was offered Class-IV post i.e. Store Attendant instead of Class-III post. Petitioner filed CWP No.24483 of 2017 before this court seeking direction to respondents to offer him Class-III post. The said writ petition was disposed of on 14.02.2018 with a

direction to respondent No.2 to consider his case. Vide order dated 22.04.2018, claim of the petitioner was rejected by respondent No.2.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

A perusal of records shows that pursuant to the order dated 14.02.2018, passed by this court, Director, State Transport Punjab passed a speaking order dated 22.04.2018, rejecting claim of petitioner for his appointment on equivalent higher post, on the ground that his claim was not covered under the Government Policy issued for compassionate appointments. Admittedly, petitioner had already joined the post of Store Attendant in the office of General Manager, Punjab Roadways, Ludhiana Depot on 11.5.2016 and has been working as such. He is posted in the office of General Manager, Punjab Roadways, Hoshiarpur Depot.

In view of above, no case for interference in writ jurisdiction is made out. The petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

March 11, 2019
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No