

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

CWP No.20702 of 2017 (O&M)
Date of decision: April 09, 2019

Parneet Sharma

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.P.S. Bal, Advocate for the petitioner.
Ms. Ishneet Kaur, AAG, Punjab.

Rajan Gupta, J.(oral)

Petitioner has sought a writ in the nature of certiorari for quashing order dated 04.12.2014 (Annexure P-3), whereby claim of the petitioner for appointment on compassionate grounds has been rejected.

One Hukam Chand was employed in the Punjab Police as an Inspector. He died on 20.01.2001. His widow claims to have adopted the petitioner on 01.01.2002 when he was about 8 years old. In the year 2017, the petitioner made a representation to Commissioner of Police, Amritsar for his appointment on compassionate grounds. This prayer was rejected. Relevant para of the order reads as under:-

“The appointment of candidate Parneet Sharma S/o Late Sub Inspector Hukam Chand No.415/J on sympathy basis not covered under instructions, so the case is admitted in office.”

It is evident that provision regarding appointment on

compassionate grounds is to enable the family of the deceased employee to tide over the sudden financial crisis on death of the earning family member. It is to ensure that the family is not left in a financial crisis after sudden demise of the earning member. In the instant case, Hukam Chand died in the year 2001 and his widow claims to have adopted the petitioner in the year 2002, when he was eight years old and not eligible to be appointed. It appears, the claim for appointment made in 2017 was misplaced. The authority, thus, rightly rejected the same. There is nothing to show that a ward of a deceased employee can be granted appointment on compassionate grounds after lapse of considerable time of his death (see *Krishna Kumari Vs. State of Haryana and others*, 2012 SCT 736). Reliance sought to be placed on order passed in *Sukhwinder Kaur Vs. State of Punjab and others*, CWP No.24521 of 2015, decided on 20.7.2016 is misplaced, as it appears, in the said case adoption was made prior to the death of the employee. Petition is, thus, without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

April 09, 2019
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No