

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-7737-2014 (O&M)
Date of Decision:-14.02.2019.

Mukesh Kumar

.....Petitioner

Versus

Food Corporation of India and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Bhupinder Kaur, Advocate for
Mr. Kapil Kakkar, Advocate for the petitioner.

Mr. K.K. Gupta, Advocate for the respondents.

ARUN MONGA, J. (Oral)

The present writ petition has been filed seeking, *inter alia*, issuance of a writ in the nature of *mandamus* directing the respondents to consider the claim of the petitioner for grant of appointment on compassionate grounds.

2.) Succinctly, the case of the petitioner is that his father died in harness on 30.10.2012 while serving in the respondent-Food Corporation of India (FCI). The petitioner is a matriculate and submitted his application dated 31.12.2012 (Annexure P-4) for appointment to the post of Handling Labour. Pursuant to the said application, his case was considered by a Committee constituted by the FCI for considering the appointments on compassionate grounds. The said Committee, vide its recommendation (Annexure P-5), recommended that the case of the petitioner i.e. Mukesh

Kumar be considered and he be given the Labourer job in the Corporation, so that he can look after his family and widowed mother.

3.) In reply filed by the FCI, a stand has been taken, that as per the recommendation by the Committee, the petitioner's name has been included in the list for making such appointment against the 5% quota given for compassionate appointments out of direct recruitment. It is further stated that the petitioner's name is at Sr. No.193. Learned counsel for the respondents-FCI, Mr. K.K. Gupta submits that during the pendency of the writ petition, the said number has already improved and as per affidavit dated 21.07.2016 filed by the FCI, the petitioner's name stood at Sr. No.152 as on 01.04.2016.

4.) Having gone through the pleadings and having heard the learned counsel for the parties, the present writ petition is disposed of with a direction to the respondents to grant the petitioner appointment to the post of Handling Labourer as and when the petitioner's turn matures, according to the seniority list maintained by the respondent-Corporation.

5.) Disposed of accordingly.

(ARUN MONGA)
JUDGE

February 14, 2019.
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.