

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

CWP-29691-2018 (O&M)
Date of Decision:03.05.2019

Surjiv Kumari

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. H.C. Arora, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Challenge in the instant petition is to the communication dated 27.09.2017 (Annexure P-9) issued by the Punjab I.C.T. Education Society, Chandigarh and in terms of which the claim of the petitioner seeking compassionate appointment on account of death of her husband Hardeep Singh has been rejected on the basis that there is no provision in the Society regarding giving compassionate appointment to the family members on the death of a Computer Faculty under the PICTES Society.

Mr. H.C. Arora, Advocate has very fairly brought to the notice of this Court that an identical issue was raised by one Harpreet Kaur whose husband was also working as a Computer Faculty and had died on 18.10.2017 and whose claim for compassionate appointment had been rejected on the same very basis. Rejection of the claim of Harpreet Kaur was put to challenge in **CWP-29981-2018** and such writ petition was dismissed on 04.02.2019 in the following terms:

“Petitioner has sought a writ in the nature of certiorari for quashing order, Annexure P-11 whereby her request on appointment on compassionate grounds has been declined. Husband of the petitioner who was working as Computer faculty died on 18.10.2017. On 02.01.2018, petitioner

submitted an application for being appointed on compassionate grounds. The request has been declined by the Society stating that there was no such provision in the Rules of the Society. Operative part of the order reads as under:-

“Subject:-Regarding seeking appointment on compassionate grounds.

Regarding the letter received from you on the above subject, it is stated that there is no provision in the society regarding giving compassionate appointment to the family members on the death of the Computer Faculty under the PICTES Society.

Sd/-

Director General School Education, Punjab”

Mr. Arora, has urged before the court that as the Punjab Civil Service Rules have been made applicable to the Society and it is funded and controlled by a State Government, it ought to follow the same policy for compassionate appointment as is applicable to the State Government employees. This court finds no substance in the plea. There is nothing on record to show that Society ever adopted a policy for appointment on compassionate grounds. Such a direction to the Society to adopt a particular policy by way of mandamus would be misconceived.

Under the circumstances, there is no merit in the petition. Same is hereby dismissed.”

Instant writ petition is dismissed in terms of order dated 04.02.2019 passed in **CWP-29981-2018 (Harpreet Kaur Vs. State of Punjab & others).**

03.05.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |