

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

CWP No. 29981 of 2018

Date of decision : 04.02.2019

Harpreet Kaur

....Petitioner

V/s

State of Punjab & ors.

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Hari Chand Arora, Advocate for the petitioner.

RAJAN GUPTA J.

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 mis-conceived.

Under the circumstances, there is no merit in the petition.

Same is hereby dismissed.

February 04, 2019

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No