

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

**CWP No. 31008 of 2018**

**Date of decision : 08.05.2019**

Sukhdeep Singh

...Petitioner

V/s

State of Punjab & ors.

...Respondent

**BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. Harinder Sharma, Advocate for the petitioner.

**RAJAN GUPTA J.**

Petitioner has prayed for a direction to respondents to consider his case for appointment on the post of Clerk on compassionate grounds in the Education Department. Mother of the petitioner was a JBT teacher in Elementary Education Wing of the Education Department of the Government of Punjab. She died on 13.11.1990. Petitioner was one year old at that time. After death of the mother, his father performed a second marriage. Being a legal heir, petitioner was allowed family pension of ₹480/- per month till the age of 24 years which he attained on 08.05.2013. It has been urged before the court that on 19.12.2014, petitioner had submitted his application for appointment on compassionate grounds on the post of Clerk in Education Department through proper channel. Petitioner was asked to complete certain formalities by respondent no. 3 which he promptly did. However, his application was not forwarded to competent authority. Be that as it may, this court is not convinced that petitioner has any right to be considered for employment on compassionate basis. Compassionate appointment is not a right but a concession. The provision was carved out for providing succor to a family in financial crises due to death of sole

earning member of the family. It is evident that mother of the petitioner died way-back in the year 1990. Even thereafter, petitioner was granted family pension of ₹480/- per month till he attained the age of 24 years. It is inexplicable as to how & under what circumstances on attaining majority, petitioner can claim that post of Clerk be given to him on compassionate basis. In my considered opinion, claim of the petitioner is wholly untenable. Petition is, thus, without any merit and is hereby dismissed.

May 08, 2019

*Ajay*

(RAJAN GUPTA)  
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No