

In the High Court of Punjab and Haryana at Chandigarh

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CWP No.34228 of 2019

.....

Date of Decision:25.11.2019

Rahul Suralia and another

... Petitioners

Versus

Punjab National Bank and others

... Respondents

.....

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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Present: Mr. Sandeep Parkash Chahar, Advocate for the petitioners.
None for the respondents.

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ARUN MONGA, J. (Oral)

Petitioners herein, inter alia, seek writ of mandamus directing the respondents to grant appointment on ex-gratia basis to petitioner No.1 or in the alternative to grant ex-gratia lump-sum amount to them along with interest @18% per annum.

2. Inter alia, contends that father of the petitioner died in harness on 3.10.2001 and as per the compassionate appointment policy/scheme (Annexure-P.3) their mother was appointed on compassionate grounds but unfortunately when she expired in harness on 10.09.2005, at the relevant time, both the petitioners were minors being 11 and 9 years respectively.

On attaining the age of majority, petitioner No.1 applied for compassionate

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appointment as per the applicable scheme, *ibid*, however, neither any formal order has been passed nor anything has been conveyed otherwise and their application has been kept pending.

3. Learned counsel for the petitioner submits that even though in the scheme there is no clause that a minor can apply for the job on attaining the age of majority, yet a perusal of the same reflects that Bank can consider request even in those cases where the death of person had taken place long back, of course, with a rider that the examination of such cases will be dealt with great circumspection. Learned counsel submits that the petitioners' parents were Class-IV employees and the petitioners were fully dependents on them and continue to live in sheer penury and complete indigency and yet their case is not being considered.

4. In the premise, petitioner had caused a legal notice dated 17.09.2018 (Annexure.P-5), but the same was not adverted by the respondents. Hence, the writ petition.

5. Notice of motion.

6. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the legal notice dated 17.09.2018 (Annexure.P-5) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with

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law.

8. Let the needful be done within a period of three months from the date of receipt of a certified copy of this order.

9. Disposed of in above terms.

November 25, 2019.

(Arun Monga)

Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes/No
	Whether Reportable:	Yes/No