

Sr. No.119

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

CWP No.37228 of 2019 (O&M)

Date of Decision: 20.12.2019

Suman Kumar

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. J.C.Kapoor, Advocate,
for the petitioner.

Mr. P.S.Bajwa, Additional A.G., Punjab.

ARUN MONGA, J.(ORAL)

1. *Inter alia*, contends that vide amendment dated 03.07.2008 (Annexure P-15) Proviso was added to Clause 13 (a) of the Compassionate Appointment Policy/Instructions contained at Annexure P-12, which envisages that in the case of a minor child, who is studying in School at the time of an employee dying in harness, can apply within one year from the date of attaining the age of majority.

2. The petitioner at the time of death of his father was four years old and who attaining the age of majority applied for job on compassionate grounds but his case has been rejected vide order dated 06.09.2019 (Annexure P-14) impugned herein saying that his application cannot be entertained as he had applied after 17 years of death.

3. Notice of motion.

4. On advance service of the petition, Mr. P.S.Bajwa, Additional A.G., Punjab appears and accepts notice on behalf of the respondents.

5. 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.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to treat the present writ petition as a representation and pass a fresh speaking order keeping in view the amendment contained at Annexure P-12 holding the field as on today, in accordance with law.

7. Let the needful be done within a period of 02 months from the date of receipt of a certified copy of this order.

8. Disposed of in above terms.

20.12.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No