

**Sr. No.117
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP No.36632 of 2019 (O&M)

Date of Decision: 18.12.2019

Gaurav Kumar Behki

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. G.P.S.Bal, Advocate,
for the petitioner.

Mr. Mehardeep Singh, Additional A.G., Punjab.

ARUN MONGA, J.(ORAL)

1. *Inter alia*, contends that father of the petitioner died in harness in the year 1991 and at the relevant time, the petitioner being a minor could not apply for job on compassionate grounds. However, vide communication dated 17.12.1991 (Annexure P-1), the Department had informed that when the petitioner attains the age of majority, he would be considered for compassionate appointment subject to his eligibility.

2. Pursuant thereto, the petitioner applied for job and it was duly acknowledged vide letter dated 13.04.2007 (Annexure P-3) wherein, it was stated that as and when his turn becomes ripe as per the seniority, he would be informed. Thereafter, petitioner was very sanguine and waited for his turn. However, having waited as long as 10 years, he started contacting the Department again but to no avail. Eventually, petitioner was driven to seek information under RTI vide letter dated 02.04.2019 contained at

Annexure P-2, whereby he was informed that the relevant record could not be traced in the office of the Department.

3. Under the circumstances, the petitioner also submitted a representation dated 18.10.2018 (Annexure P-5), but the same was not adverted by the respondents and hence, the writ petition.

4. Notice of motion.

5. On advance service of the petition, Mr. Mehardeep Singh, Additional A.G., Punjab appears and accepts notice on behalf of the State.

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/competent authority to objectively consider the representation dated 18.10.2018 (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 law.

8. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

9. Disposed of in above terms.

(ARUN MONGA)
JUDGE

18.12.2019
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No