

Sr. No.142

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

**CWP No.37416 of 2019
Date of Decision: 20.12.2019**

Vijaya Devi

... Petitioner

Versus

Union of India and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Sunil Garg, Advocate,
for the petitioner.

Mr.Pawan Kumar Longia, Sr.Panel Counsel
for the respondents-UOI.

ARUN MONGA, J.(ORAL)

Petitioner herein seeks issuance of a writ in the nature of certiorari for quashing the order dated 07.10.2016 (Annexure P-2) vide which the candidature of the petitioner for appointment on compassionate ground against any Class-C or Class D post has been rejected by the respondents on the ground of overage by wrongly calculating her age and to direct the respondents to consider her claim as per policy contained at Annexure P-1. He further submits that DD Form has been submitted within 1 year from the date of death of husband of the petitioner and the age of petitioner is not relevant.

2. In the premise, petitioner also submitted representation dated 15.10.2019, contained at Annexure P-4, but the same has not been adverted by the respondents till date. Hence, the writ

petition.

3. Notice of motion.

4. On advance service of the petition, Mr.Pawan Kumar Longia, Sr.Panel Counsel appears and accepts notice on behalf of the respondents-UOI.

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 objectively consider the representation dated 15.10.2019 contained at Annexure P-4, and also by keeping in view the contentions raised in the present writ petition by treating it as a supplementary representation and the policy contained at Annexure P-1, and pass a speaking order, in accordance with law.

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

8. Disposed of in above terms.

20.12.2019

dharamvir

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No