

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15367-2000

Date of Decision:-30.01.2020.

Smt. Anita Rani

.....Petitioner

Versus

National Fertilizers Limited and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Subhash Ahuja, Mr. Karan Ahuja and
Mr. S.K. Goyal, Advocates for the petitioner.

Mr. Alok Jain, Advocate for the respondents.

SANJAY KUMAR, J. (Oral)

The petitioner is the widow of an employee of National Fertilizers Limited. By way of this writ petition filed as long back as in November, 2000, she sought a direction to the Company to provide her a job on compassionate grounds.

No interim orders were granted in this writ petition.

In its written statement, the Company stated that no post was in existence in which the petitioner could have been adjusted as per her qualifications. Further, according to the Company, as there was no issue born out of the wedlock of the petitioner with the deceased employee and she was a young and qualified person, her case for compassionate appointment was not considered. Significantly, the latter ground for

rejection does not find support in the policy dated 09.11.1979, which merely states to the effect that the Company should provide employment to one of the members, viz., the next of kin, being the wife, son or unmarried daughter, wholly dependent on the deceased employee. Therefore, there was no insistence, in terms of the policy, that there should be a large family or that there should be children born out of the wedlock to enable the widow to seek employment. However, as it is well settled that compassionate appointment is not a mode of recruitment, being a welfare measure intended to help the family of the deceased employee tide over the crisis caused by the sudden death of the bread winner, this Court cannot extend any benefit to the petitioner at this late stage. Be it noted that the petitioner would be approximately 54 years of age, going by her own representation dated 04.02.2000 (Annexure P-4) wherein she stated that she was a young widow of 34 years.

That being so, the writ petition is dismissed leaving it open to the petitioner to pursue her remedies before the competent forum in accordance with law, in the event she was wrongfully denied compassionate appointment.

No order as to costs.

(SANJAY KUMAR)
JUDGE

January 30, 2020.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.