

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9976-2020(O&M)
Date of decision: 17.07.2020

Varinder Pal Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.J.P.S.Sidhu, Advocate for the petitioner

ANIL KSHETARPAL, J. (ORAL)

The writ petitioner has filed the present writ petition praying for issuance of a writ in the nature of Mandamus directing the respondents to appoint the petitioner in Govt. job on compassionate grounds as per policy of the State Government. The petitioner also prays for issuance of a writ in the nature of Certiorari quashing the communications/orders dated 16.7.2018 and 26.10.2018 while rejecting the claim of the petitioner for appointment on compassionate basis.

At the outset, it must be noticed that the petitioner's grandfather, who had already retired from the Punjab Police, was alleged to have been killed in a terrorist action on 6.8.1989. At that time, the petitioner's father was also in the police service. The writ petitioner was barely three years old at that time. One of the petitioner's brother has

already been appointed in the year 2016 on compassionate basis after he filed a writ petition in this Court. The petitioner is now more than 34 years of age.

This Court has heard learned counsel for the petitioner at length and with his able assistance gone through the paper book. Learned counsel for the petitioner very fairly admitted that there is no policy decision of the Government entitling consideration for compassionate appointment to grandchild on account of death of grandfather. However, he contends that more than 500 persons have been given appointments. He further contended that in some cases appointments have been given to two members of the same family and that also on compassionate basis.

This Court has considered the submissions, however, finds that it would not be appropriate to issue the writ as prayed for by the petitioner for following reasons:-

(i) The policy of compassionate appointment is a concession granted by the employer to help the remaining family members to tide over immediate difficulties faced by them on account of sudden demise of the employee. Now, a period of more than 31 years has elapsed from the date of death of the petitioner's grandfather. The writ petitioner at that time, was only three years old. Hence, this Court finds no justification to writ for considering his request for compassionate appointment, particularly when his father was already in the Punjab Police Service at the relevant time.

(ii) The petitioner was never dependent on his grandfather.

(iii) The petitioner’s brother has already been given appointment in the year 2016 on compassionate basis.

Hence, the writ petition is dismissed in liminie.

17.07.2020	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No