

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

**CWP No. 10803 of 2019 (O&M)
Date of Decision: 16.01.2020**

Veenu Kumar

.....Petitioner

Versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Maninder Arora, Advocate for the petitioner.

TEJINDER SINGH DHINDSA J.(Oral)

Petitioner seeks a mandamus for directing the respondent-Punjab State Power Corporation Limited to release in his favour the death-cum-terminal benefits in respect of late Sh. Sham Lal and who had served under the Corporation on the post of Assistant Lineman.

As per pleadings on record Sh. Sham Lal died in the year 2002. He was survived by his wife Geeta @ Sangeeta. Petitioner claims to be the adopted son of Sham Lal.

During the course of argument it has been candidly conceded by counsel that Geeta @ Sangeeta had been released the admissible terminal/death benefits. She has also since expired on 25.07.2014. Under such circumstances, the prayer of the petitioner to be released the death-cum-terminal benefits is wholly misconceived and cannot be accepted.

The second prayer in the instant petition is for considering the petitioner for appointment on compassionate basis. Even such claim raised in the instant petition is not well founded. There are no documents/material to conclude that the petitioner was dependant of late Sh. Sham Lal. Even

an adoption deed relied upon is subsequent to the date of death of Sh. Sham Lal. Even otherwise Sh. Sham Lal died in the year 2002. As per pleadings on record present petitioner attained the age of majority in the year 2008. Claim to be considered for compassionate appointment has been raised in the writ petition filed in the year 2019. It is by now well settled that the objective of compassionate appointment is to help out a family of the bread winner who had died in harness and who is in a state of abject poverty and penury. In other words any claim for compassionate appointment has to be lodged in close proximity to the date of death of the bread winner. Apart from observing that there are no documents to show the petitioner to be a dependant/legal heir, the claim is highly belated.

No merit.

Petition dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

January 16, 2020

shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No