

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

CWP-21200-2020(O&M)

Date of decision: 10.12.2020

Simrandeep

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Ms. Anju Arora, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Through this writ petition, filed under Article 226/227 of the Constitution of India , the petitioner prays for quashing/setting aside order dated 20.06.2017, with a further prayer to direct the respondents to consider the claim of the petitioner for appointment as Class IV employee on compassionate basis. The petitioner claims to be the adopted son of Late Sh. Bhagwan Dass, who died in harness on 14.04.2015.

The petitioner's claim was rejected by a speaking order (Annexure P-10) on 20.06.2017. He filed CWP-2873-2019 but withdrew it on 01.02.2019. The order reads as under:-

“Learned counsel submits that he may be allowed to withdraw this petition with liberty to make a representation before the department.

Dismissed as withdrawn with aforesaid liberty.”

The petitioner has now filed a fresh writ petition claiming that the order dated 20.06.2017, be set aside. It is not in dispute that on the date, when the petitioner filed the previous writ petition, the order dated 20.06.2017, was in existence. The petitioner, after having filed the writ petition, withdrew the same. Further, the petitioner never sought liberty in the previous writ petition to file a fresh one. Still further, now after a period of more than 5 ½ years, the claim of the petitioner, for compassionate appointment, has become stale. Still further, it is yet to be established that the petitioner is an adopted son of the deceased employee Sh. Bhagwan Dass.

For the aforesaid reasons, this Court does not find it appropriate to issue a writ as prayed for.

Hence, disposed of.

10.12.2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No