

CWP-1178-2021 (O&M)

Rani Devi Vs. Food Corporation of India & others

Present:- Mr. S.K. Verma, Advocate for the petitioner.

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Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Husband of the petitioner was working as a Handling Labourer under the Food Corporation of India on a regular post and died in harness on 07.12.2002.

Grievance raised in the instant petition is that claim of the petitioner seeking appointment on compassionate basis has been rejected by citing a circular dated 08.01.2020 and as per which the departmental labourer system has been declared dying cadre. Counsel submits that even though there is no specific order of rejection but such basis is disclosed in the response dated 07.12.2020 (Annexure P-13) to the legal notice that had been served upon the respondent/Corporation on behalf of the petitioner.

Precise argument raised is that claim for compassionate appointment had been raised by the petitioner in January, 2003 itself i.e. soon after demise of her husband and the matter had been kept pending for a considerable length of time and a circular that may have been issued by the Corporation on 08.01.2020 cannot be made operative to her detriment and to defeat her claim for consideration for appointment on compassionate basis and which crystallized in the years 2002-03.

Notice of motion, returnable for 19.05.2021.

At this stage, Mr. Manav Bajaj, Advocate has joined proceedings and accepts notice on behalf of respondents No.1 to 4.

Complete copy of the petition already stands furnished to him.

16.02.2021

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE