

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

CWP-10014-2021

Date of Decision: May 25, 2021

Gurdeep Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Ankit Bishnoi, Advocate,
for the petitioner.

Ms. Akshita Chauhan, AAG, Punjab,

(Presence marked through Video Conference)

ARUN MONGA, J.

1. Issuance of a writ in the nature of certiorari to quash impugned order dated 01.08.2013 (Annexure P-4), passed by the Director of Education Department (Senior Secondary), Punjab (respondent No. 2), *inter alia*, is sought herein.

2. Vide impugned order, claim of the petitioner for compassionate appointment, stating that his father was killed in a terrorist attack on 03.02.1993 when the petitioner was minor, was rejected on the ground that the petitioner and/or his family was not deserving as they did not suffer from any financial difficulties.

3. Learned counsel for the petitioner contends that while rejecting the case of the petitioner, proper inquiries were not conducted with regard to the financial status of the petitioner and/or his family. Learned counsel relies upon instructions dated 21.11.2002 (Annexure P-11), issued by the State of Punjab and argues that the impugned order has been passed in

violation thereof.

4. Be that as it may, on the face of it, impugned order dated 01.08.2013 (Annexure P-4), which was passed more than 7 years ago, now being belatedly assailed, is hit by laches and delay. On a Court query as to what precluded the petitioner to approach this Court all these years, learned counsel for the petitioner states that the petitioner had been representing the competent authorities from time to time. The said response is a complete moonshine, inasmuch as, perusal of the petition would reveal that no effective representation was ever pending before any competent authority other than the one dated 14.08.2020 (Annexure P-9), filed before the Department of Personnel (respondent No. 1). A hopeless attempt seems to have been made through the instant petition to revive the matter, which is otherwise a closed chapter. Merely filing of subsequent representation/s, that too after an inordinate delay, would not give any fresh cause of action, once there is an acquiescence, tacit or otherwise .

5. In the premise, no ground is made out to interfere. Dismissed.

(ARUN MONGA)
JUDGE

May 25, 2021

Pk Kapoor

Whether Speaking/Reasoned: YES/NO