

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

**CWP-22825-2021
Date of Decision:11.11.2021**

Parmender Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. J.S.Maani pur, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.
(Presence marked through Video Conference)

ARUN MONGA, J. (ORAL)

Petitioner herein *inter alia* seeks issuance of a writ in the nature of mandamus directing the respondents to consider his case for appointment on compassionate grounds in terms of Haryana Civil Services (Compassionate Financial Assistance or Appointment) Rules, 2019.

2. Learned counsel for the petitioner submits that qua his aforesaid grievance, petitioner caused issuance of a legal notice dated 13.08.2021 (Annexure P-8) but to no avail. Hence, the instant petition.

3. Learned State counsel, on advance service, joins proceedings and opposes the issuance of notice and contends that ex facie claim of the petitioner to seek appointment on compassionate basis is barred by limitation. She argues that purpose of the compassionate appointment is amelioration of immediate financial calamity and petitioner is currently 44 year old. In ordinary course, petitioner would already have been gainfully

employed elsewhere and does not deserve any concession of compassionate appointment.

4. At this stage, learned counsel for the petitioner submits that let a final decision be taken, either way, by the competent authority on the pending legal notice dated 13.08.2021 (Annexure P-8), giving reasons thereof.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 13.08.2021 (Annexure P-8) and also by keeping in view the contentions raised in the present petition by treating the same as supplementary representation and take an administrative decision, in accordance with law.

7. However, it is made clear if the case of the petitioner is otherwise not deserving or is barred by limitation, as is argued by learned State counsel, the instant order would give him any fresh cause of action or the administrative decision to be taken would extend the limitation period.

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

11.11.2021
vandana

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No