

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

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**CWP-12351-1999 (O&M)
Date of decision: 25.08.2022**

HARBIR SINGH

....Petitioner

Versus

THE CHIEF SECRETARY TO GOVT HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Amit Jain, Sr. Advocate with
Mr. Chetan Salathia, Advocate
for the petitioner.

Mr. R.D. Sharma, DAG Haryana.

ARUN MONGA. J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Mandamus directing the respondents to consider the claim of the petitioner for being appointed as Clerk or to any other post on compassionate grounds on account of untimely death of his father Sh. Jagbir Singh, who was working on post of Drawing Teacher by quashing the impugned order dated 28.01.1999 (Annexure P-8).

It transpires that during pendency of the writ petition, the petitioner has concededly become over-age and is beyond the age of employability in Government service. Even otherwise, compassionate employment is not to be treated as any kind of reservation in the matters of employment. The purpose of the compassionate employment is amelioration of immediate financial hardship on losing an earning member of the family while in harness.

Being so, no ground for interference is made out. However, I am of

the view that the petitioner/his widowed-mother were/are entitled to ex gratia

financial compensation as per the applicable policy, since compassionate employment was not offered vide impugned order dated 28.01.1999. Accordingly, the respondents shall verify whether the ex gratia compensation payable has been disbursed or not. In case not disbursed, the same be done within 03 months from receipt of certified copy of this order along with interest at the rate of 5% per annum.

(ARUN MONGA)
JUDGE

25.08.2022

S.Sharma(syr)

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable :</i>	<i>Yes/No</i>