

117 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-7358-2022
Date of Decision: 07.04.2022

RAJESH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Mohit Rathee, Advocate
for the petitioner.

Mr. Sharan Sethi, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *mandamus* directing the respondents to consider her claim for compassionate appointment as her husband, who was working as Driver in Haryana Roadways at Sonipat Depot, died in harness on 13.05.2011.

2. Learned counsel for the petitioner submits that husband of the petitioner was working with the respondent-department since 1994. His services were terminated on 22.06.2006 due to one FIR which was lodged against him under Sections 279, 337 and 304-A of IPC. Thereafter, the petitioner filed a suit before learned Civil Judge, Sonipat for declaration and mandatory injunction against the respondents. In the meanwhile, husband of the petitioner died on 13.05.2011 (Annexure P-3). Said suit was decided on 29.09.2014 in favour of husband of the petitioner, reinstating his services from the date, he was terminated. No appeal was filed against trial court decree. The petitioner thereafter submitted various representations dated 27.12.2014, 12.02.2016, 22.04.2018, 02.12.2020 and 17.01.2022 (Annexure P-2), seeking compassionate appointment, but to no avail. Hence, the instant petition.

3. Learned State counsel, on advance service, joins proceedings and states that competent authority shall take appropriate decision on the

pending representations dated 27.12.2014, 12.02.2016, 22.04.2018, 02.12.2020 and 17.01.2022 (Annexure P-2).

4. At this stage, learned counsel for the petitioner also agrees that let a final decision is taken, either way, by the competent authority on the pending representations dated 27.12.2014, 12.02.2016, 22.04.2018, 02.12.2020 and 17.01.2022 (Annexure P-2), 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 representations dated 27.12.2014, 12.02.2016, 22.04.2018, 02.12.2020 and 17.01.2022 (Annexure P-2) and keeping in view the contention raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

7. Let the needful be done within a period of two months from today.

8. Disposed of accordingly.

April 07, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No