

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

CWP-18838-2022 (O&M)

Date of decision: September 08, 2022

Seema

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Pankaj Middha, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing order dated 20.09.2021 (Annexure P-3) passed by respondent No.2 rejecting the claim of the petitioner for appointment on compassionate grounds, alleging violation of the applicable policy and principles of natural justice.

2. Pledged case is that mother of the petitioner, namely Smt. Asha Devi was appointed as Peon on 01.04.2001 at Ambala in PW (B&R) Department. Marriage of the petitioner was solemnized during the lifetime of her mother on 18.11.2013. Mother later died in harness on 26.09.2016. Petitioner applied for succession certificate in the Court of Ld. Civil Judge (Senior Division) Ambala, which was issued in her favour on 22.01.2021. Thereafter, she moved an application dated 16.09.2021 (Annexure P-1) for granting her job on compassionate grounds. However, vide impugned letter dated 20.09.2021 (Annexure P-3), the claim of the petitioner for appointment on compassionate grounds was declined.

3. I have heard learned counsel for the parties and perused the record.

4. Impugned order whereby claim of the petitioner was rejected for appointment on compassionate grounds is premised on the following reasons:-

“It is intimated that Haryana Civil Services (Compassionate Appointment) Rules, 2019 came into force from 01.08.2019. Whereas your mother had expired on 26.09.2016, secondly in your application you had mentioned that you are fully dependent upon your mother whereas as per your application you are married with Sh. Deepak Verma. Hence, wife of Sh. Deepak Verma.”

5. I see no irregularity in the aforesaid impugned order, which is in terms of the applicable policy governing compassionate appointments. Concededly, petitioner got married in the year 2013 and was clearly not a dependent of her mother. Even otherwise, there is a delay of more than 5 years in raising the cause for ex-gratia appointment as she approached the respondent-Department on 16.09.2021 for the first time. That apart, compassionate appointment is merely meant to ameliorate the immediate financial calamity a family is visited with, due to sudden death of an earning member. It is not a right of reservation to seek a job which can be enforced.

6. In view of the aforesaid, no grounds are made out to interfere.

7. Dismissed.

(ARUN MONGA)
JUDGE

September 08, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No