

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

129

CWP-23731-2022

DATE OF DECISION: 17.10.2022

GURSHARAN SINGH

... Petitioner(s)

Versus

**PUNJAB STATE FEDERATION OF COOPERATIVE SUGAR MILLS
AND ANOTHER**

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.B.D. Sharma, Advocate for the petitioner.

Mr. Abhaypal Singh Gill, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking a direction to the respondents to consider and grant appointment to the petitioner on compassionate grounds on account of the death of his father while in service.

Learned counsel for the petitioner submits that the petitioner was only 8 years of age when his father had expired in the year 2002 while working as Clerk with respondent No.2. He also submits that the petitioner had sent a legal notice to the respondents and in reply thereto it is stated that in the year 2019, instructions were received from Sugarfed, Punjab by respondent No.2 to fill up the vacancies on compassionate grounds. The mother of the petitioner had been asked to submit the requisite documents of qualification of the dependents by 23.09.2019 but she had failed to submit the requisite documents within the stipulated period and therefore, the case of the petitioner for compassionate appointment could not be considered. He, however, submits that the mother of the petitioner is illiterate and was not aware of the

procedural formalities which had to be completed. The petitioner is unemployed and facing financial hardships. The case of the petitioner should not be rejected on hyper-technical grounds of not completing the formalities within the stipulated period.

Issue notice to the respondents.

At the asking of the Court, Mr. Vikas Singh, Advocate accepts notice on behalf of the respondents.

Heard.

The petitioner was 08 years old at the time of the death of his father. The mother of the petitioner could not complete the formalities including furnishing of adequate information with regard to the dependents as she is stated to be illiterate. It would be too harsh to refuse consideration of the case of the petitioner for failure on the part of his illiterate mother to complete the formalities within the stipulated period.

The petition is disposed of with a direction to respondent No.4 to consider the case of the petitioner for compassionate appointment in terms of the Policy applicable to the respondents. The needful be done within a period of four months from now.

(ANUPINDER SINGH GREWAL)
JUDGE

17.10.2022
SwarnjitS

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