

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.26423 of 2022 (O&M)
Date of Decision.18.11.2022

Kamal Kumar

...Petitioner

Vs

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Virinder Kumar Shukla, Advocate
for the petitioner.

-. -

JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed by the petitioners under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to consider the case of the petitioner for appointment on compassionate ground against Group 'D' post on account of death of his mother, who died in harness on 19.08.2016, in view of policy dated 21.11.2022 (P-1) and to give him appointment along with all consequential benefits arising therefrom.

Learned counsel appearing for the petitioner would submit that the petitioner has already ventilated their grievance vide Notice of Demand dated 26.08.2022 (Annexure P-6) issued to the respondents but no action has been taken by the respondents till date. It is submitted that the petitioner would be satisfied if the Notice of Demand dated 26.08.2022 (Annexure P-6) is considered and decided by the respondents in view of policy dated 21.11.2022.

Notice of motion.

Ms. Deepali Puri, Addl. A.G., Punjab, who is present in Court, accepts notice for the respondents and would submit that the respondents would look into the representation submitted by the petitioner and pass a speaking order thereon.

Without going into the merits of the case and keeping in view the limited request made, I dispose of the instant petition by directing the respondents to take a decision on the Notice of Demand dated 26.08.2022 (Annexure P-6) of the petitioner in view of policy dated 21.11.2002, within a period of six weeks from the date of receipt of certified copy of this order, in accordance with law, by passing a speaking order, which shall be communicated to the petitioner forthwith. In case of failure to do so, the officer responsible for the lapse shall be liable to payment of costs of Rs.20,000/- from his own pocket, payable in favour of Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

November 18, 2022

Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No