

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

CWP-6542-2023

Date of decision : 13.04.2023

Gurjinder Singh

...Petitioner

Vs.

Union Territory Chandigarh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashu Kaushik, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner-Gurjinder Singh has filed this writ petition under Article 226 Constitution of India with a prayer for seeking a writ in the nature of mandamus directing the respondents to appoint him on Group-D post on compassionate grounds.

Learned counsel submits that the petitioner's father had served for a period of more than 20 years when he died in harness on 08.02.2014 and at the time of death, his father was working as Mali in Municipal Corporation, Chandigarh. He further submits that petitioner claimed for compassionate appointment being the son of the deceased-employee, but through the impugned order dated 05.12.2018 (Annexure P-4) his claim was rejected without mentioning any reason. Learned counsel submits that subsequently petitioner moved a representation dated 29.04.2019 (Annexure P-5) to seek information under Right to Information Act, 2005 regarding relevant rules relied upon, while rejecting his request, but no information was furnished to him. He prays that a writ in the nature of mandamus be issued directing the respondents to consider his claim for compassionate appointment.

During the course of hearing, it is not disputed by learned counsel that after demise of petitioner's father, he was doing part time job and was not unemployed. Further, when petitioner's father died on 08.02.2014, petitioner was 28 years old and presently he is approximately 37 years of age. A perusal of the rejection order shows that the claim of the petitioner was declined through letter dated 07.12.2018, but he has challenged the said order after a delay of approximately five years. Thus, this Court has no hesitation in holding that the petition filed by the petitioner not only suffers from delay and latches.

Considering the above background, this Court is not inclined to exercise the extra ordinary writ jurisdiction.

Dismissed.

(MANOJ BAJAJ)
JUDGE

13.04.2023

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No