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

CWP-9582-2022

Date of decision : 27.01.2023

Mangat Ram

...Petitioner

Vs.

**General Manager, Head Office,
State Bank of India and others**

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. N.S.Dandiwal, Advocate
for the petitioner.

MANOJ BAJAJ, J.

Petitioner-Mangat Ram has filed this writ petition under Article 226 Constitution of India seeking a writ in the nature of Certiorari for quashing policy dated 09.02.2021 (Annexure P-2) relating to compassionate appointment and further for issuance of writ in the nature of Mandamus directing the respondents to grant compassionate appointment to the petitioner on account of death of his father on 05.08.2020.

Learned counsel contends that the petitioner's father, namely, Ramesh Kumar was working with respondent No.1-Bank as Senior Head Messenger, who died on 05.08.2020, while in service. The petitioner applied for compassionate appointment with the Bank in terms of the policy, but the claim has been rejected through the impugned order dated 09.02.2021 (Annexure P-2). Learned counsel further submits that the petitioner is without any source of income, therefore, writ in the nature of mandamus be issued directing the respondent-Bank to appoint the petitioner on compassionate appointment.

After hearing the learned counsel and considering the averments, this Court finds that as per the policy of the Bank, only those dependant family members would be eligible for compassionate appointment, where the permanent employee dies while performing the official duty, as a result of terrorism, robbery or dacoity or dies after five years of first appointment, but before reaching the age of 30 years. There is nothing on record to indicate that the case of the petitioner was covered under the said policy.

During the course of hearing, it is not disputed by learned counsel that petitioner's father joined the service in the year 1982, who was nearing his retirement age when he passed away, and the petitioner got married during the life time of his father and has two children. Thus, the claim that the petitioner is without any source of income is only bald averment, which is not worth acceptance considering the other attending circumstances. A perusal of the impugned order shows that the respondent No.1-Bank has given valid reasons while rejecting the claim of the petitioner.

No argument has been raised to press the relief for quashing the policy dated 09.02.2021 (Annexure P-2).

Consequently, in view of the above discussion, this Court does not find it to be a fit case for exercise of extra ordinary writ jurisdiction.

Dismissed.

(MANOJ BAJAJ)
JUDGE

27.01.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No