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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-10515-2013 (O&M)
Date of Decision:08.12.2023

BAL AMRIT SINGH

.....Petitioner

V/s.

UNION OF INDIA AND OTHERS

.....Respondents

CORAM: **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**

Present: Mr. Naresh Jain, Advocate for the petitioner.

Mr. Ashish Chaudhary, Senior Panel Counsel,
for respondent No.1.

Mr. Charanpreet Singh, AAG, Punjab.

Mr. M.S. Virk, Advocate for
Dr. P.K. Sekhon, Advocate for respondent No.5.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The petitioner by way this Writ Petition, filed in the year 2013, has prayed for issuance of directions to the respondents to appoint him on compassionate ground on account of death of his father during the operation Blue Star conducted at Golden Temple, Amritsar in 1984.

2. Learned counsel for the petitioner submits that the petitioner's father died during the operation Blue Star conducted at Golden Temple, Amritsar. In support of his submissions, the petitioner has annexed the death certificate of his father which mentions the date of death of his father as 06.06.1984. The petitioner was minor at that time and claimed compassionate appointment on the basis of the circular issued by the Government granting compassionate appointment to the dependent family members of the persons killed in terrorism/riots.

3. Learned counsel submits that the representation made by the petitioner has been rejected by the respondents stating that the persons who died during the said operation Blue Star would not come within the category of persons killed during the terrorism/riot. He has challenged the said order dated 21.04.2010 (Annexure P-25) stating that the petitioner ought to be appointed on compassionate ground.

4. This Court finds that the petitioner had attained the majority in the year 1998 and the further 12 years passed by when his case was rejected. As on today, more than another 12-13 years have been passed by. In these circumstances, without examining the issue whether the appointment was available to the families who died during the operation Blue Star, this Court finds that by efflux of time after almost more than 20 years, compassionate appointment cannot be offered to the petitioner, although it is not a regular mode of appointment but the same is given to the dependent of the deceased Government servant only to come out from the immediate financial difficulties which cannot be said to be existing as on today in relation to the petitioner.

5. In view of the aforesaid, this Writ Petition is dismissed on account of efflux of time.

6. All the pending applications in this Writ Petition stand disposed of accordingly.

December 8, 2023

Ess Kay

[SANJEEV PRAKASH SHARMA]

JUDGE

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>