

2023:PHHC:094819

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

CM-9731-CWP-2023
in/and
CWP-16596-2016 (O&M)
Date of decision: 26.07.2023

Gurvarinder Singh

..Petitioner

Versus

State of Punjab and others

.Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Santosh Sharma, Advocate for the applicant/petitioner

Mr. Gurpreet Singh, Addl. AG, Punjab

ANIL KSHETARPAL, J (Oral)

CM-9731-CWP-2023

1. After hearing learned counsel representing the applicant and for the reasons stated in the application, the writ petition is restored to its original number, while recalling the order dismissing it for non-prosecution.

2. CM stands allowed.

Main case

3. With the consent of the learned counsel representing the petitioner, the main writ petition is taken on Board for final disposal.

4. The petitioner prays for issuance of a writ in the nature of Mandamus to direct the respondents to appoint him on a compassionate basis on account of civil death of his father. The petitioner claims that his father is missing since 2003 and civil court vide judgment and decree

dated 23.09.2011 declared him civil dead. He submits that the petitioner, after waiting for sometime, filed the writ petition.

5. In the State's reply, it has been stated that the petitioner's mother was working as an Excise and Taxation Inspector on the date, the petitioner's father went missing as well as on the date the civil court decree declaring the petitioner's father as civil dead was passed. Hence, the petitioner is not entitled to be considered for the compassionate appointment.

6. This Court has considered the submissions made by the learned counsel representing the parties. The compassionate appointment is not a regular source of recruitment. It is subject to a policy decision taken by the State. The State of Punjab has taken a decision that if both the parents are working then in the event of the death of one of them in the service tenure, their child would not get any priority appointment.

7. Keeping in view the aforesaid facts, no ground to interfere is made out.

8. Hence, dismissed.

9. All the pending miscellaneous applications, if any, are also disposed of.

26.07.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE