

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 22502 of 2017

Date of Decision: 27.02.2023

Prabhjit Singh

... Petitioner(s)

Versus

The State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. K.G.Chaudhry, Advocate
for the petitioner(s).

Mr. R.S.Pandher, Senior Deputy Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. The petitioner prays for issuance of a writ in the nature of certiorari to quash the order dated 21.04.2017 by which the petitioner's request for appointment as Clerk on the basis of compassionate basis has been rejected.

2. The petitioner's father late Sh.Prem Singh, who was working as Inspector in the Punjab Police, died in harness on 25.05.2011. The petitioner initially submitted an application for his appointment as Assistant Sub Inspector on compassionate basis. On being intimated that no recruitment on the post of Assistant Sub Inspector can be made as the same stands substituted by the post of Sub Inspector, the petitioner made an alternative prayer. He claims to have passed his graduation in Humanities from Nagpur Shirrik Shikshan Mahavidyalaya, Dhantoli Nagpur through BPE Nagpur

University, Nagpur. The petitioner's request has been rejected on the ground

that the BPE Nagpur University, Nagpur, does not have permission to open study centres/off study centres beyond its territorial jurisdiction.

3. The learned counsel representing the petitioner submits that the reason assigned for rejecting the petitioner's claim is erroneous. This Court has considered the submissions. It is well settled that appointment on priority/compassionate basis is a concession granted by the State to support the members of the family who are left with no source of income after the untimely demise of the bread earner of the family. Since this is only a concession, therefore, cannot be claimed as a matter of right. The petitioner is a resident of Batala. He claims to have studied in Nagpur to complete his graduation in humanities, though, there are a large number of colleges imparting the said education in the State of Punjab. The petitioner is already more than 37 years of age.

4. Keeping in view the aforesaid facts, this Court does not find it appropriate to go further into the merits of the case. At this stage, it would not be appropriate for the Court to issue the writ directing the respondents to consider the petitioner's case for his appointment on compassionate basis. Consequently, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

February 27, 2023
"DK"

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No