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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24948-2022

Date of Decision:28.07.2023

SARVISHU CHILANA

..... Petitioner

Versus

STATE BANK OF INDIA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

Ms. Manjari Joshi, Advocate
for the respondent- Bank.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking direction to respondent to appoint petitioner on compassionate ground.

2. Father of the petitioner was working with respondent- Bank since 09.10.1992. He passed away on 18.11.2019. At that point of time, compassionate policy 2014 of respondent-Bank was in vogue. In view of 2014 policy, the petitioner was entitled to compensation which was paid to him. The policy of 2014 provided for appointment on compassionate ground in specific cases. The case of the petitioner was not covered by paragraph 5 of the policy, thus, he was entitled to compensation.

3. The respondent framed policy dated 16.03.2021 which came into force w.e.f 16.03.2021, however, it was provided that all the cases of death which have occurred due to COVID-19 would be governed by the

policy. In the policy, it was specifically provided that nationwide lockdown was announced on 24.03.2020 and all the cases post nationwide lockdown would be governed by policy. The petitioner applied for compassionate appointment in terms of 2021 policy. The application of the petitioner is still pending with the respondent-Bank.

4. Learned counsel for the respondent-Bank submits that case of the petitioner was squarely covered by 2014 policy and he has already taken advantage of said policy. The case of petitioner is not governed by 2021 policy, thus, he has not been granted appointment on compassionate ground. The petitioner was very much aware while getting compensation that he is not eligible for compassionate appointment and he wants to take undue advantage of 2021 policy.

5. Be that as it may, the respondent-Bank has not passed any order on the application of the petitioner, thus, respondent- Bank is directed to pass order one or another way within 6 weeks from today.

5. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

28.07.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>