

111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22771-2023 (O&M)
Date of decision: 14.11.2023

Rakesh Kumar*Petitioner*

V/s

State of Punjab and others ...*Respondents*

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Varun Dhawan, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

CM-19220-CWP-2023

This is an application under Section 151 CPC for placing on record the policy of Government of Punjab, Department of Personnel regarding scheme for compassionate appointments as Annexure P-7.

For the reasons mentioned in the application, same is allowed and Annexure P-7 is taken on record subject to all just exceptions.

Main case

The instant writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to consider and to appoint the petitioner as Sweeper on compassionate ground in place of his mother who died on 23.02.2016.

Learned counsel for the petitioner contends that the mother of the petitioner Smt. Meera was appointed as Sweeper in the office of Nagar Council at Zira on 31.05.2011 and unfortunately died on 23.02.2016 during his service in the

applied for the job of Sweeper in the office of Nagar Council Zira, District Ferozepur in the month of April 2016 on compassionate ground. The father of the petitioner also wrote letter to Nagar Council Zira regarding the appointment of his elder son Raj Kumar for the said post however, no response was given by the aforesaid office. On 03.06.2019 (Annexure P-4), the petitioner had applied for the post of Sweeper after the death of his mother on compassionate ground. Learned counsel further contends that petitioner has sent a legal notice dated 24.07.2023 (Annexure P-6) to respondents, which has not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

At this stage, on asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 & 2 and Mr. Sanjeev Soni, Advocate who is also present in the Court, accepts notice on behalf of respondent No.3 and do not object to the prayer made by learned counsel for the petitioner.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 24.07.2023 (Annexure P-6), respondent No.3 is directed to decide the legal notice in accordance with law, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

14.11.2023
Sapna