2023:PHHC:133080

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-23190-2023 (O&M)
Date of Decision:-12.10.2023

Gurpreet Singh ….Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Karan Bhardwaj, Advocate for the petitioner.

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GURVINDER SINGH GILL, J. (Oral)

1. The petitioner’s father, who was serving as a ‘Water Career’ in Punjab Police died in harness on 15.11.2008. Upon a request made by petitioner’s mother for appointment on compassionate grounds, the petitioner was appointed on Class-IV post on compassionate basis w.e.f. 26.9.2011 on contingent paid basis. The petitioner thereafter submitted a representation dated 23.6.2016 (Annexure P-3) praying therein that he may be appointed on regular basis. However, no decision was taken upon the same. Subsequently, when the Office of respondent No.2 - Director General of Police, Punjab sought comments from the office of respondent No.4 - Senior Superintendent of Police, District S.A.S. Nagar, the petitioner was regularized against Class - IV post w.e.f. 23.10.2018.

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2. Learned counsel for the petitioner submitted that as per the policy dated 21.11.2002 (Annexure P-1) issued by Government of Punjab pertaining to appointment on compassionate basis, there is no such rider that such appointment has to be made on contingent paid basis and that once the petitioner had been given appointment in the year 2011 and had been subsequently regularized, the entire service is as a matter of fact required to be treated as regular service w.e.f. the date the petitioner was initially appointed. It has been submitted that although the petitioner sent a legal notice dated 8.4.2022 (Annexure P-7) as well, but to no avail.

3. Notice of motion.

4. On asking of the Court, Mr. Inderpreet Singh Kang, AAG, Punjab, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent-State.

5. Learned State counsel submits that the legal notice, if any, received in the office shall be considered in accordance with law.

6. Having regard to the aforestated position but without commenting anything as regards merits of the case, the instant petition is disposed of with a direction to respondent No.1 to consider and dispose of the legal notice dated 8.4.2022 (Annexure P-7) in accordance with law expeditiously preferably within a period of 4 months from today.

12.10.2023 **(Gurvinder Singh Gill)**
pankaj **Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No

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