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

CWP-26758-2023

Date of Decision: 30.11.2023

Harinder Kaur

. . . . Petitioner

Vs.

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Jasbir Singh Mohri, Advocate
 for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner by way of this writ petition claims that she should be appointed from 2001 on compassionate grounds instead of appointment issued to her on 24.02.2015.
2. Learned counsel submits that the petitioner had submitted all her documents in the year 2001, but no reasons came forward for not giving her appointment from 2001, and she continued to make representations and ultimately, appointment was offered to her on 24.02.2015. After joining, she submitted representation that her appointment should be treated notionally from 2001 when she was called to submit her documents.
3. It is her submission that in one writ petition bearing No.682 of 2004, this Court has recorded that the State has issued appointment orders in 2011 w.e.f. 01.03.2004 to the concerned petitioner in the said writ petition. She submits that similar benefit should be given to the petitioner.
4. I have considered the submissions.
5. The compassionate appointment as being granted, is not a substantive right of an individual but is subject to the circumstances, availability of post, and also relevant factors which the government may look into. If there has been

a delay in appointment, the petitioner should have taken up appropriate remedies at that relevant time. However, she accepted the appointment in 2015 without any demur.

- 6. After having been appointed, she has again remained silent for years together, and has filed writ petition now in the year 2023 claiming appointment from 2001. No reasons have come forward for not taking up the matter at the time of her appointment.
- 7. The writ petition while suffers from gross laches and delay, on merits too, is not found to be worth interfering.
- 8. Writ petition is accordingly *dismissed*.

(SANJEEV PRAKASH SHARMA)
JUDGE

November 30, 2023

Mohit goyal

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |