

111

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-17887-CWP-2023 in/and
CWP-12764-2018 (O&M)
Date of Decision:19.10.2023

MALKEET SINGH

.....Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Bhavesh Aggarwal, Advocate, for the applicant-petitioner.

Mr. Vishnav Gandhi, DAG, Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

CM-17887-CWP-2023

1. This application is filed by the petitioner for pre-poning the date of hearing in the main Writ Petition which is fixed for hearing for 15.02.2024.

2. Having regard to the reasons mentioned in the application, the same is allowed and the main Writ Petition is taken on board today itself.

CWP-12764-2018 (O&M)

1. The petitioner by way of this Writ Petition has claimed compassionate appointment on the post of Art and Craft Teacher on the ground that he possesses the relevant educational qualifications for the said post. However, during the pendency of this Writ Petition, as informed by the learned counsel for the petitioner, the petitioner has been offered appointment on compassionate grounds on the post of Class D. Learned counsel for the petitioner submits that the petitioner awaits the result of this case and therefore, has not joined the said Class D post.

2. It is a settled law that the appointment on compassionate grounds is an offer to the family members of a deceased-Government servant, who has expired while in service. The very purpose is to tide over the sudden financial constraints which the family has to face on account of sudden death of the earning member of the family.

3. In these circumstances, therefore, it cannot be a choice given to a person to take appointment and whatever post is available with the State Government, the same can be offered. It is not a case of the petitioner that there is any discrimination made with the petitioner. He, therefore, would be required to accept the post which has been offered to him. Since the Writ Petition was pending, this Court allows the petitioner to now accept the post, which if he so feels, which is being offered to him by the State Government.

4. The Writ Petition stands *disposed of* in aforementioned terms.

5. All the pending applications in this Writ Petition stand disposed of accordingly.

October 19, 2023

Ess Kay

**[SANJEEV PRAKASH SHARMA]
JUDGE**

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