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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 02nd February, 2023*

+ **W.P.(C) 1336/2023**

NEHA KANWAR

..... Petitioner

Through: **Mr. Mukul Kumar, Advocate.**

versus

**HINDUSTAN PETROLEUM
CORPORATION LTD.**

..... Respondent

Through: **None.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JUDGEMENT

JYOTI SINGH, J. (ORAL)

C.M. APPL. 4986/2023 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. Present writ petition has been filed by the Petitioner seeking a direction to the Respondent to expeditiously consider the case of the Petitioner for compassionate appointment.
4. It is the case of the Petitioner that Late Shri Narpat Singh, father of the Petitioner died in harness on 18.01.2019, while he was working as Senior Mobile Assistant with the Respondent Corporation. Petitioner is a married daughter of the deceased Shri Narpat Singh but was dependent on him as she returned to her parental home merely after five months of marriage.

5. It is submitted by learned counsel for the Petitioner that since the death of the father of the Petitioner, the family is finding it difficult to make two ends meet as there is no source of livelihood and the Pandemic has made the conditions worse. In these circumstances, Petitioner applied for compassionate appointment by an application dated 23.11.2021. All other family members are willing to furnish documents consenting to grant of compassionate appointment to the Petitioner.

6. Grievance of the Petitioner is that despite passage of over one year, the application is still pending before the Respondent and therefore, directions be issued for its expeditious consideration.

7. I have heard the learned counsel appearing on behalf of the Petitioner.

8. There can hardly be any dispute on the proposition that an application for compassionate appointment must be decided at the earliest and expeditiously. The Supreme Court in a recent judgment in *Malaya Nanda Sehty v. State of Orissa and Others*, 2022 SCC OnLine SC 684 has emphasised on the object and purpose of compassionate appointment i.e. family of the deceased employee is placed in a position of financial hardship upon untimely death of the employee and therefore, there is a need of rendering immediate financial assistance to the family of the deceased. The Supreme Court has also observed that in several cases applications for appointment on compassionate grounds are kept pending for years together, compelling the applicants to approach Courts and even thereafter, frivolous reasons are given for rejecting the applications. The Supreme Court has, therefore, directed that such applications must be considered at the earliest point in time so that the object and purpose of compassionate appointment can be achieved.

9. In view of the aforesaid, this Court finds merits in the submission of the Petitioner that her application needs to be considered at the earliest. Accordingly, it is directed that the Respondent shall decide the Petitioner's application dated 23.11.2021, as expeditiously as possible but not later than four weeks from today.

10. Needless to state that the decision taken by the Respondent shall be communicated to the Petitioner and in case of any surviving grievance thereafter, Petitioner shall be at liberty to take recourse to remedies available in law.

11. Writ petition is disposed of with the aforesaid directions.

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12. The writ petition was disposed of in the first session.

13. At this stage, Ms. Raavi Birbal, learned counsel enters appearance on behalf of the Respondent and submits that copy of the application dated 23.11.2021 has not been received by the Respondent. She, however, further submits, on instructions, that the copy is now available with the Respondent since it is appended to the writ petition and the Respondent shall consider the application and take a decision thereon within a period of four weeks, as directed by the Court.

14. Let the needful be done by the Respondent within four weeks, as undertaken.

JYOTI SINGH, J

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