

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

253

CWP-1633-2021

Date of Decision:22.04.2024

Sarbjeeet Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON’BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. H. C. Arora, Advocate, for the petitioner.

Mr. Amarpreet Singh Bains, AAG, Punjab

AMAN CHAUDHARY J. (Oral)

1. The prayer in present petition is for quashing the impugned order dated 23.09.2020, Annexure P-4 vide which claim of petitioner for grant of compassionate appointment was rejected, as also to further direct the respondents to give her appointment in Class-4, in view of her qualifications.
2. Learned counsel submits that the case of the petitioner for compassionate appointment was rejected only on the ground that she being married daughter of the deceased, did not fall within the definition of “family” as per the Scheme for compassionate appointments-2002, dated 21.11.2002, Annexure P-5. In paragraph No.5 of the written statement, it has been stated that in compliance with the judgments passed by this Court in CWP-2218-2017, **Amarjit Kaur vs. State of Punjab** as well as in CWP-24591-2021, **Jaspreet Kaur vs. State of Punjab**, the Department of School Education has taken up the matter with the Department of Personnel to review its policy dated 21.11.2002 and upon receiving the advice therefrom, the claim of the petitioner shall be

reconsidered. Now vide Notification dated 29.01.2024, an amendment has been carried out in Note 1 (c) of para 3 of the said Scheme, wherein the phrase “unmarried daughter” has been substituted with the word “daughter”.

3. Learned State counsel, on instructions, submits that in wake of the above, the respondents are open to have a relook at the matter.

4. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide the claim of the petitioner within a period of four months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to her, and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same shall contain reasons and the petitioner shall be free to seek legal redress.

(AMAN CHAUDHARY)
JUDGE

April 22, 2024

dinesh

Whether speaking : Yes/No

Whether reportable : Yes/No