

2024:PHHC:029759
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CWP-4961-2024 (O&M)
Date of decision: 01.03.2024

Pooja Rani

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Amrit Paul Nahar, Advocate for the petitioner.

AMAN CHAUDHARY, J

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus directing the respondents to consider the name of the petitioner for compassionate appointment.

2. Learned counsel would contend that the petitioner is married daughter of deceased-Charan Dass who was working on the post of Sweeper and had unfortunately passed away on 25.02.2020 and seeking compassionate appointment for which he filed a representation dated 13.07.2022 (Annexure P6) followed by yet another representation dated 27.12.2023 (Annexure P10) which has yet not evoked any response and also relies upon the judgment of the Division Bench passed in the case of **State of Punjab and another vs. Amarjit Kaur**, in LPA-462-2021, decided on 25.01.2023, as also Instructions wherein it has been held that the married daughter also falls within the definition of family. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting her an opportunity of hearing.

3. Notice of motion.

4. At the asking of the Court, Mr. Amarpreet Singh Bains, AAG, Punjab, accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

5. 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 consider and decide the representation dated 27.12.2023, Annexure P10, taking note of the aforesaid judgment as also instructions referred to by the petitioner, within a period of three months and if found entitled, necessary benefit be granted to her forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating her therewith.

01.03.2024

ashok

**(AMAN CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No