

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-6819-2020

Date of decision: 01.02.2024

AMANDEEP KUMAR

...PETITIONER

Vs.

ORIENTAL BANK OF COMMERCE AND ANR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. R.V.S. Chugh, Advocate
for the petitioner.

Mr. R.N. Lohan, Advocate
for the respondents.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 23.09.2019 whereby claim of the petitioner for compassionate appointment has been declined.

2. Counsel for the petitioner, at the outset submits that petitioner does not claim compassionate appointment, however, family of the petitioner especially wife of the deceased employee may be considered for *ex-gratia* amount which is payable as per circular dated 11.02.2015 (Annexure P-4) of the respondents-bank.

3. Mr. R.N. Lohan, Advocate submits that petitioner and his siblings cannot be considered for the purpose of compassionate appointment as well as *ex-gratia* amount.

4. This Court vide order dated 01.02.2024 has disposed of CWP No. 8306-2018 in the case of *Smt. Jogindro Vs. Orient Bank Of Commerce and Ors*, involving similar issue. In the said case, the bank had agreed to pay *ex-gratia* compensation, whereas in the present case, bank has rejected claim of the

petitioner *qua* compassionate appointment as well as compensation. From the application of the petitioner, it appears that prime claim of the petitioner was compassionate appointment. He had sought no objection from all the family members including his mother.

5. From the perusal of impugned order, it is not coming out that how income of wife of deceased employee has been considered while rejecting claim of compassionate appointment as well as compensation.

6. Keeping in mind, findings recorded in order dated 01.02.2024 passed in CWP No. 8306 of 2018, contents of impugned order and statement of the petitioner, the respondents are hereby directed to reconsider claim of the wife of the deceased employee for ex-gratia amount. The needful shall be done within 6 months from today.

7. Disposed of in the above terms.

01.02.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No