

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

125

CWP-6510-2024 (O&M)
Date of decision: 19.03.2024

Gurharsharan Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. R.S. Bajaj, Advocate for the petitioner

AMAN CHAUDHARY. J. (ORAL)

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to consider the case of the petitioner for appointment on compassionate ground.

2. Learned counsel would contend that the mother of the petitioner, who was working as Lecturer, Physical Education, passed away on 14.10.2001. At that time, the petitioner was a minor and his father had submitted an application for reserving one post for him on compassionate ground as and when he will attained majority. In response to which, the school authorities in a communication to the Deputy Commissioner, had sought the legal heirs/dependents certificate, which was submitted to respondent No.5 on 27.12.2001 and his case was recommended by respondent No.4 to respondent No.3 on 21.05.2002. An application was submitted by the father of the petitioner on 15.10.2010, again for keeping one post reserved for the petitioner, in response to which, on 29.12.2010, respondent No.4 had communicated that as and when the petitioner would complete his education, his case for appointment be submitted in duplicate to their office. The

petitioner having enrolled for a diploma course in physical education is when the relationship between him and his father, who had performed second marriage became sour and he stopped giving him any financial help. In March, 2019, the petitioner had applied for appointment on compassionate grounds and documents had been submitted that was necessary for the said purpose including that he was residing separately, however, Department was insisting on submission of the salary statements of his father’s account, which he was unable to obtain due to the aforesaid fact. His case is still pending with the Department. 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 respondent Nos.1 and 2 to decide his case in a time bound manner by granting him an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Swapan Shorey, DAG 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 respondent Nos.1 and 2 to consider and decide the case of the petitioner within a period of 6 months and if found entitled, necessary benefits be granted to the petitioner forthwith.

(AMAN CHAUDHARY)
JUDGE

19.03.2024
M.Kamra

Whether speaking/reasoned

Whether reportable

:

:

Yes / No

Yes / No