

Simranjeet Kaur

...Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Ms. Neha Jain, Advocate for the petitioner.

Mr. Amarpreet Bains, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition is for quashing the undated letter Annexure P-11 issued by respondent No.4 whereby request for appointment on compassionate basis has been rejected as also to issue directions to the respondents to consider the claim of the petitioner for the post of clerk on compassionate grounds.

2. Learned counsel submits that the petitioner has been denied the compassionate appointment on account of her mother having passed away who were working as Superintendent in the Finance Department without giving any reasons therein. It is her categorical case that there are lot of liabilities upon the petitioner who is the only daughter, though she is married, however, there being no sibling and her father, who was in employment but has voluntarily retired due to his ill health. She relied upon a Division Bench judgment of this Court in LPA No.462 of 2021 (**State of Punjab and another versus Amarjit Kaur**) decided on 25.01.2023 wherein it has held that even a married daughter falls within the definition of 'Family'. These aspects have not been taken into consideration by the competent authority. She prays that liberty be granted to

her to bring to the notice of the authorities all these facts supported by documents to substantiate, for which she would file a representation/legal notice within four weeks. 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. Learned State counsel has no objection to the limited prayer made.

4. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction that in case the petitioner submits a representation within a period of four weeks, the same shall be considered and decided sympathetically taking note of the judgment referred to, by the petitioner, within a period of six months and if found entitled, necessary relief be granted to her forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating her therewith.

February 14, 2024
ps/hemant

(AMAN CHAUDHARY)
JUDGE

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