

2024:PHHC:041684

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

109

CM-4833-CWP-2024 in/&
CWP-11806-2020 (O&M)
Date of decision: 22.03.2024

Gursimrat Singh Sandhu
Versus
State of Punjab and Others

...Petitioner
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. H.S. Dhindsa, Advocate for the petitioner

Mr. Charanpreet Singh, AAG Punjab

AMAN CHAUDHARY. J. (ORAL)

CM-4833-CWP-2024

For the reasons mentioned in the application, the same stands allowed. Main case is preponed and taken on board today itself.

CWP-11806-2020

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 certiorari for setting aside the impugned letter dated 29.06.2020.
2. Learned counsel submits that the father of the petitioner, who was working as DSP, had died in harness on 29.01.2018 and his claim for appointment on compassionate basis was recommended by the DGP for the post of Sub-Inspector vide letter dated 11.03.2020, Annexure P-9. It was observed therein that though the father of the petitioner had been promoted as DSP, however, in case, he had been alive then he would have been eligible on 14.12.2018 for promotion as regular DSP, because he had already completed 6 years of service in 2017 itself for being promoted as such. He refers to para 4 of the petition, wherein the details

of 4 persons have been given, who were junior to the father of the petitioner and their wards have been given the appointment on compassionate basis, a fact admitted in corresponding para of the written statement. He at this stage, on instructions, submits that respondent No.1 may be directed to decide the claim based on the above in a time bound manner by granting him 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 to respondents to consider and decide to consider and decide the claim of the petitioner, taking note of Anneuxre P-9 and facts stated in para 4 of the petition, regarding the other employees, within a period of 4 months and if found entitled, necessary benefits be granted to the petitioner forthwith.

(AMAN CHAUDHARY)
JUDGE

22.03.2024
M.Kamra

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No