



CWP-12997-2017 (O&M)

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

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CWP-12997-2017 (O&M)

Date of decision: 16.05.2024

Gaganjit Kaur

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Ms. Monika and
Mr. Raj Kaushik, Advocates for the petitioner.

Mr. Satnam Preet Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed for quashing the orders dated 10.03.2016 and 20.09.2016, Annexure P-12 and P-14 respectively, passed by the respondents declining the request of the petitioner for compassionate appointment.
2. Learned counsel submits that the father of the petitioner had unfortunately passed away on 28.08.2012, while he was working as Senior Lab Assistant in Senior Secondary School, Old Police Lines, Patiala, leaving behind a widow and two children. The petitioner, who was a minor at the time, filed an application for appointment on compassionate basis, being an unmarried daughter, on 23.05.2015, i.e. within the period of one year of attaining the age of majority and even possessed the qualification of 10+2, that was rejected vide order dated 10.03.2016, Annexure P12, on the solitary ground that the son of the deceased, despite being major and having the requisite qualification at the time when their father expired, had not applied, which is not the requirement of any policy. She, also being a dependent, was well within the right to apply for appointment on compassionate basis, which she did in the prescribed proforma in terms of the



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policy within one year, still her application and the appeal preferred against the same, were wrongly rejected.

3. Learned State counsel despite his best efforts has not been able to defend and justify the impugned orders, therefore, on instructions, submits that the respondents would be not averse to having a relook at the matter, uninfluenced by the orders dated 10.03.2016 and 20.09.2016.

4. In view of the above and without commenting upon the merits of the case, the respondents are directed to reconsider the claim of the petitioner, taking note of the submissions made on her behalf, within a period of four months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to her and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same shall contain reasons and petitioner shall be free to seek legal redress thereupon.

5. Disposed of accordingly.

16.05.2024
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No