

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

218

CWP-17162-2016 (O&amp;M)

Date of decision: 02.05.2024

Sukhdev Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Nandan Jindal, Advocate for the petitioner.

Mr. Arun Gupta, DAG, Punjab.

Mr. Anupam Singla, Advocate for respondent Nos.2 to 4.

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**AMAN CHAUDHARY, J (Oral)**

1. The present petition has been filed for quashing the impugned order dated 18.05.2016 (Annexure P6) passed by respondent No.2 whereby claim of the petitioner for compassionate appointment has been rejected.
2. Learned State counsel has produced a copy of judgment in **Harpreet Kaur vs. State of Punjab and others**, CWP-29981-2018, decided on 04.02.2019, as per which the issue involved in the present case stands covered against the petitioner, which reads thus:-

“Petitioner has sought a writ in the nature of certiorari for quashing order, Annexure P-11 whereby her request on appointment on compassionate grounds has been declined. Husband of the petitioner who was working as Computer faculty died on 18.10.2017. On 02.01.2018, petitioner submitted an application for being appointed on compassionate grounds. The request has been declined by the Society stating that there was no such provision in the Rules of the Society. Operative part of the order reads as under:-

“Subject:-Regarding seeking appointment on compassionate grounds.

Regarding the letter received from you on the above subject, it is stated that there is no provision in the society regarding giving compassionate appointment to the family members on the death of the Computer Faculty under the PICTES Society.

SD/-

Director General School Education, Punjab”

Mr. Arora, has urged before the court that as the Punjab Civil Service Rules have been made applicable to the Society and it is funded and controlled by a State Government, it ought to follow the same policy for compassionate appointment as is applicable to the State Government employees. This court finds no substance in the plea. There is nothing on record to show that Society ever adopted a policy for appointment on compassionate grounds. Such a direction to the Society to adopt a particular policy by way of mandamus would be mis-conceived.

Under the circumstances, there is no merit in the petition. Same is hereby dismissed.”

3. Learned counsel for the petitioner was unable to controvert the factual position and draw out any distinctive aspects in the aforementioned judgment or cite any contrary law.

4. In view of the above, the present petition is dismissed.

( AMAN CHAUDHARY )  
JUDGE

02.05.2024

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No