

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

CWP-18971-2020 (O&M)

Decided on: 19.07.2024

Sanjay Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

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

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Present : Mr. Nitin Goswami, Advocate for  
Mr. Lupil Gupta, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana

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**AMAN CHAUDHARY, J.**

1. Being aggrieved by the order dated 05.10.2020, Annexure P-6, rejecting to grant compassionate appointment, the petitioner has filed the present petition.

2. As is apparent from the record, the father of the petitioner, died in harness on 08.01.2006 while working as Mali-cum-Chowkidar. The premise of case as to applicability of the Haryana Compassionate Assistance to the Dependents of the Deceased Government Employees Rules, 2006 (hereinafter referred to as “2006 Rules”) is that claim regarding monthly financial assistance or opting for lumpsum ex-gratia grant, had not been finalised as on 01.08.2006, the date from which afore-referred Rules became operative.

3. It emerges from the written statement that on asking, wife of the deceased-employee had submitted her option for grant of ex-gratia compassionate financial assistance i.e. Rs.5 lacs, which was released vide

demand draft dated 17.07.2006, Annexure R-1, received by her on 27.07.2006, to which there is no replication filed. Subsequent thereto, filing the present petition by wrongly stating the claim to have been pending, concealing the aforesaid facts, is reason enough to non-suit the petitioner. Further, nothing has been produced on record to substantiate the plea that his mother had applied for providing employment to her children, when they will attain majority.

4. Hon’ble the Supreme Court in **A.P. SRTC vs. Sarvarunnisa Begum<sup>1</sup>**, wherein the additional monetary benefit had been given to the widow, apart from the benefits available to get over the financial constraints on account of sudden death of her husband and thus, as a matter of right, she was not entitled to claim the compassionate appointment.

5. To mitigate the hardship of the family, caused due to the untimely passing away of the bread earner-employee, the financial assistance granted and accepted, would not entitle consideration for compassionate appointment, it being not a vested right, the purpose having been achieved.

6. In view of the above, there being no merit in the present petition, the same is hereby dismissed.

7. Pending applications, if any, stand disposed of.

**(AMAN CHAUDHARY)**  
**JUDGE**

**19.07.2024**  
M.Kamra

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

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<sup>1</sup> (2008) 3 SCC 402