

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

281

CWP-18851-2022
Date of decision: 15.02.2024

Manjeet Kaur
.....Petitioner

Versus

State of Punjab and Others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. L.S. Sidhu, Advocate for the petitioner.

Mr. A.S. Bains, AAG, Punjab

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Articles 226 of the Constitution of India for issuance of a writ in the nature of mandamus, certiorari, for quashing the impugned order dated 12.08.2011, Annexure P-10 and order dated 02.02.2021 (Annexure P-14), whereby claim of the petitioner seeking employment on compassionate ground has been rejected.
2. Learned counsel would submit that though in the impugned order rejecting the application on 12.08.2011, Annexure P-10, for compassionate appointment no reason was assigned. However in the written statement, the stand taken is that the petitioner being a married daughter is not entitled as per terms of the policy/instructions dated 21.11.2002. He submits that this issue already stands decided in his favour by the Division Bench of this Court in LPA-462-2021 titled as State of Punjab vs. Amarjit Kaur, decided on 25.01.2023, that the married daughter also falls in the definition of ‘family’. In this regard, the representation dated 12.10.2020, Annexure P-11, has been submitted by them, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the

petitioners are sanguine of it being considered in a positive manner, in case, a direction is given to the respondent No.4 to decide the same 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 respondent No.4 to consider the representation dated 12.10.2020, Annexure P-11 and decide in the peculiarity of the facts and circumstances of the case by taking a sympathetic view in the matter, within a period of 4 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.

(AMAN CHAUDHARY)
JUDGE

15.02.2024
Hemant

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No