

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

222

CWP-23537-2017 (O&M)

Date of decision: 04.04.2024

Raksha Devi alias Renu

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Rajvir Singh, Advocate
for the petitioner.

Mr. Satnam Preet Singh, DAG, Punjab.

AMAN CHAUDHARY. J (Oral)

1. The prayer in the present Civil Writ Petition filed under Articles 226/227 of the Constitution of India, is to issue a writ in the nature of mandamus, for directing respondent No.2 consider and grant the petitioner appointment on compassionate grounds.

2. Learned counsel submits that the husband of the petitioner, who was working as a Peon, passed away in a road accident while in service on 20.10.2015, whereafter, she being his second wife, the first having passed away, applied for compassionate appointment for which she was even recommended by the District Magistrate vide order dated 31.08.2016, Annexure P-3, after giving regard to the claims raised by children from the previous marriage. However, no decision was taken by the respondents to appoint her. Now, there is a subsequent development that has taken place during the pendency of the present petition, that the civil suit filed by the children from the first wife, for declaration that all service benefits be given to them, stands dismissed vide judgment dated 26.08.2022 passed by Civil Judge

(Junior Division), Rupnagar. It is thus prayed, on instructions that she would

be satisfied, in case a direction is given to the respondents to decide her claim in a time bound manner by granting her 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 directions to respondents to consider and decide the claim of the petitioner, taking into account the submissions made hereinabove, within a period of four months and if found entitled, necessary benefit be granted to her forthwith.

(AMAN CHAUDHARY)
JUDGE

04.04.2024
Hemant

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