

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CWP-3216-2015 (O&M)
Date of decision: 28.02.2024

Pardeep Kumar

..Petitioner

Versus

State of Punjab and others

..Respondents

CWP-21583-2017 (O&M)

Gursewak Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CWP-15449-2015 (O&M)

Jasbir Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CWP-25076-2019 (O&M)

Gurpreet Kaur Gill

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Harbans Sharma, Advocate
for the petitioner in CWP-3216-2015.

Mr. RK Arora, Advocate
for the petitioner in CWP-21583-2017 & 15449-2015.

Mr. Madan Lal Saini, Advocate
for the petitioner in CWP-25076-2019.

Mr. Satnam Preet Singh, DAG, Punjab.

AMAN CHAUDHARY J.

1. The abovementioned four writ petitions are being disposed of by a common judgment, as these involve a similar issue.

2. The prayer in the present Civil Writ Petitions filed under Article 226/227 of the Constitution of India, is to issue a writ in the nature of mandamus directing the respondents to grant compassionate appointments to the petitioners.

3. Learned counsel for the petitioners submit that the issue, as involved in the present petitions, has already been dealt with and decided by this Court vide judgments dated 12.09.2019 titled as **Ajay Kumar vs. State of Punjab and others**, CWP-20693-2019, 05.09.2019, CWP-24534-2019, **Gurpreet Singh vs. State of Punjab and others** and 17.12.2019, CWP-5175-2018, **Bhupinder Kumar vs. State of Punjab and others**. They thus pray that the instant petitions may be disposed of in the same terms. The relevant portion of **Ajay Kumar**(supra), reads thus:-

“7. The perusal of the record shows that concededly the father of the petitioner was serving as Baildar at the time of his death on 14.09.2014. The aforesaid policy relied upon by the learned counsel for the petitioner clearly states that the same has to be implemented w.e.f. 08.10.2012. This policy held the field till its withdrawal on 29.03.2017. In the aforesaid premise, the impugned orders dated 04.12.2014 (Annexure P-9) and 06.04.2017 (Annexure P-11) seem to have been passed by overlooking the said Policy. The same are accordingly set aside being not sustainable in law.

8. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to pass a fresh appropriate order by according the benefit of the Policy/ Instructions dated 27.12.2016 (Annexure P-5) to the petitioner, in accordance with law.”

3. Learned State counsel is unable to rebut the factual position in this matter and also cite any contrary law.

4. In view of the aforesaid, the present petitions are disposed of in terms of the judgments passed in **Ajay Kumar**, **Gurpreet Singh** and **Bhupinder Kumar** (supra).

5. A photocopy of this order be placed on the file of connected cases.

28.02.2024
ashok

(AMAN CHAUDHARY)
JUDGE

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