



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(215)

CWP No. 4461 of 2017 (O&M)
Date of Decision : 03.12.2024

Kishan Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Ms. Shruti, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

In the present petition, the claim being raised by the petitioner is for the grant of compassionate appointment after the death of his father, namely, Kuldeep Chand, who was working as a Chowkidar with the respondent-Department. The non-grant of the benefit of compassionate appointment to the petitioner has been questioned in the present petition.

Upon notice of motion, the respondents have filed the reply, wherein, the respondents have stated that the employee unfortunately, died in the year 2008 and the said employee had contracted two marriages against the Rules and both the families of the employee were fighting with each other for service benefits and no claim for the compassionate appointment was made within a period of one year, hence, the claim of the petitioner for the grant of compassionate appointment after a period of 9 years of the death of the employee is not admissible as, the compassionate appointment is to be



extended only to ensure that the family of the bread winner does not face financial distress and as the petitioner did not apply within a period of one year, the benefit of compassionate appointment was not given.

Keeping in view the facts and circumstances of the present case, where the petitioner never claimed the benefit of compassionate appointment within the time frame granted as the family was entangled in the litigation due to the fact that Kuldeep Chand had contracted two marriages, non-grant of the benefit in the facts and circumstances of the present case qua the compassionate appointment needs no interference as, sufficient time has already elapsed. Further, as per the judgment of the Division Bench of this Court in LPA No. 160 of 2021 titled as ***Tinku Vs. State of Haryana and others***, decided on 22.03.2022, the Division Bench has already held that in case, no claim is raised within the time frame fix, the compassionate appointment cannot be granted, hence, the prayer of the petitioner cannot be allowed by this Court in view of the settled principle of law settled in ***Tinku's case (supra)***.

Dismissed.

Pending miscellaneous application, if any, also stands disposed of.

December 03, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No