

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CWP-5785-2017 (O&M)
Date of decision: 09.04.2024

Chetan Arora

.....Petitioner

VERSUS

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Abhishek Sahu, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr.Teevar Sharma, AAG, Punjab.

Mr.Shiv Kumar Sharma, Advocate
for respondents No. 2 to 4-PSPCL.

NAMIT KUMAR, J. (Oral)

1. The petitioner has filed the instant petition seeking a writ of mandamus for directing respondents No. 2 and 3 to consider and appoint the petitioner on compassionate grounds as per policy of the State Government dated 14.10.2014 (Annexure P-2), in view of the fact that the case of the petitioner was recommended for appointment on compassionate basis vide Annexure P-1. Further a writ of certiorari has been sought for quashing the order dated 13.10.2016 (Annexure P-3), whereby compensation of Rs. 3,00,000/- has been granted to the petitioner instead of employment.
2. Short affidavit on behalf of respondents No. 2 to 4 has been filed in Court, the same is taken on record. Copy thereof has been supplied to the counsel for the petitioner.
3. In the affidavit, it has been stated that the petitioner has applied

under the new policy and his case is under consideration. The relevant portion from the said short affidavit reads as under :-

- “2. That in the above titled writ petition, petitioner has sought appointment on the basis of compassionate ground. Now the new scheme/policy for compassionate Appointment has been circulated by the Government of Punjab, Department of Power (Energy Branch) Letter No. 11/79/2026-PE5/3676 Dated 27.10.2022 and adopted by PSPCL vide their memo no. 2639/3205/ENG 7(1) 239/L Dated 6.12.2022.

3. That the petitioner has applied under the new policy and his case is under consideration as per the new policy. As per the new policy, the persons who want to opt for job on compassionate grounds will have to return the complete amount of solatium and the difference of special pension and normal family pension alongwith the simple interest of 12% per annum.

4. That in the present case i.e. CWP-5785/2017 petitioner has not received any solatium, so his case is already under consideration and will be decided on merits and in accordance with the policy and law.”

4. Let the case of the petitioner for compassionate appointment under the New Policy shall be considered by the respondents within a period of three months from the date of receipt of certified copy of this order.

5. Disposed of in the above terms.

6. Pending applications, if any, shall also stand disposed of.

09.04.2024

Satyawan

(NAMIT KUMAR)

JUDGE

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No