

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(230)

CWP No. 22705 of 2020
Date of Decision : 14.02.2024

Manjit Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhimanyu Kalsy, Advocate for
Mr. Siddhartha Yadav, Advocate for the petitioner.

Mr. Harish Rathee, Senior Deputy Advocate General,
Haryana.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance of the petitioner is that the petitioner, who was minor at the time of death of his father, is entitled to be accommodated by the grant of compassionate appointment.
2. Learned counsel for the petitioner submits that the father of the petitioner died in the year 1993 and at that time, petitioner was only 09 months old and petitioner could only get the benefit of compassionate appointment upon attaining the age of majority, hence, the prayer of the petitioner for the grant of compassionate appointment needs to be considered at the relevant time when the petitioner attains the age of majority so as to be eligible to be appointed by way of compassionate appointment, which benefit has been declined by the respondents.

3. Learned counsel for the respondents submits that though, it is unfortunate that the father of the petitioner died when the petitioner was only 09 months old but, keeping in view the fact that the compassionate appointment is only to be granted to mitigate the financial hardships, which the family faces at the time of the death and compassionate appointment cannot be treated as a source of appointment, hence the petitioner cannot be granted the compassionate appointment after a period of 20 years of the death of his father.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. The question, whether the compassionate appointment can be sought after a period of 03 years of the death of the concerned employee, has already been answered by 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. By considering the Instructions issued by the Government of Haryana in the year 1999 that in case any claimant of compassionate appointment fails to get appointment within a period of three years of the death of the employee, on any account, the said right extinguishes and no claim for compassionate appointment after an expiry of three years from the date of death can be allowed/claimed.

6. Learned counsel for the petitioner has not been able to distinguish the judgment that keeping in view the fact that petitioner's claim for compassionate appointment cannot be allowed.

7. Keeping in view the above, no ground is made out for the grant of relief as being claimed in the present petition.

8. Dismissed.

February 14th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No