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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 14808/2024**
SHIV KUMARPetitioner
Through: **Dr. Sandeep Singh, Advocate.**

versus

PUNJAB NATIONAL BANK & ANR.Respondents
Through: **Mr. Rajat Arora, Advocate.**

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
22.10.2024

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1. This writ petition has been filed on behalf of the Petitioner under Article 226 of the Constitution of India assailing the letter dated 29.07.2024, whereby the request of the Petitioner for compassionate appointment in the Respondent Bank has been rejected on the ground that he is the stepson and not the biological son of Late Smt. Vimla Devi, who was employed with Respondent and there was no Adoption Deed.
2. Facts to the extent relevant are that father of the Petitioner namely, Mr. Inder Singh was married to Smt. Sunita and from the wedlock, Petitioner was born on 19.07.1994. Smt. Sunita expired on 19.07.1994 after giving birth to the Petitioner. Father of the Petitioner again married Smt. Vimla Devi and they were living as husband and wife since 25.08.1994. Petitioner avers that on 20.12.1994, Smt. Vimla Devi adopted the Petitioner vide Adoption Deed dated 20.12.1994, copy of which has been placed on record, as Smt. Vimla Devi had no other child. Smt. Vimla Devi also expired on 22.04.2022 due to Cancer while she was working with



Respondent No.2 as Peon-cum-Daftari. Petitioner filed an application on 28.03.2023 seeking compassionate appointment, which has been rejected vide the impugned order.

3. Learned counsel for the Petitioner submits that Petitioner is the adopted son of Late Smt. Vimla Devi and in support thereof places reliance on several documents such as Adoption Deed dated 20.12.1994, Death Certificate of Smt. Vimla Devi, Mark sheets of Xth Class and XIIth Class issued by CBSE etc. It is argued that the Adoption Deed was not available with the Petitioner at the time of applying for compassionate appointment but the other documents which clearly reflect that Petitioner is the adopted son of Smt. Vimla Devi had been completely glossed over by the Respondents and claim for compassionate appointment has been erroneously rejected.

4. Issue notice.

5. Mr. Rajat Arora, learned counsel accepts notice on behalf of the Respondents.

6. Perusal of impugned letter dated 29.07.2024 shows that claim of the Petitioner for compassionate appointment was primarily rejected on the ground that Petitioner is neither the biological nor the adopted son of late Smt. Vimla Devi and hence ineligible for compassionate appointment. In my view, in light of the documents placed on record, Petitioner's case deserves a re-consideration by the Respondents.

7. Accordingly, without entering into the merits of the case, this writ petition is disposed of directing the Respondents to re-consider the application of the Petitioner for compassionate appointment in light of the various documents appended to this writ petition and take a decision within



six weeks from today. Needless to state if the decision is in favour of Petitioner, his case will be processed for appointment and if for any reason, the decision is otherwise, a reasoned and speaking order shall be passed, which shall be communicated to the Petitioner within one week of the decision and Petitioner will be at liberty to take recourse to legal remedies in case of any surviving grievance.

JYOTI SINGH, J

OCTOBER 22, 2024

B.S. Rohella/shivam