



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-5876-2025 (O&M)

Date of decision: 03.03.2025

Amrik Singh

...Petitioner

VERSUS

The Chief Engineer (C.E.), Headquarters Air Force (AF), Western Air
Command, New Delhi and another

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Nipun Mehta, Advocate for the petitioner(s).

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been preferred by the petitioner(s) seeking issuance of an appropriate writ especially in the nature of Mandamus directing the respondents for the issuance of the appointment letter on compassionate ground after the death of his father on 13.10.2003, while in service.
2. After arguing at some length, learned counsel for the petitioner(s) submits that as regards his grievances mentioned in the petition, the petitioner(s) has already served a legal notice dated 08.11.2023 (Annexure P-10) upon the respondent(s) and he would be satisfied in case respondent No.2-The Garrison Engineer (G.E.), Air Force (A.F.), Military Engineering Services, Chandigarh is directed to consider and decide the said legal notice by passing a well reasoned and speaking order in a time bound manner.



3. Notice of motion.
4. Mr. Narender Kumar Vashist, Sr. Panel Counsel, enters appearance and accepts notice on behalf of the respondents. He points that there is apparently an inordinate delay in submitting the claim as death of father of the petitioner occurred on 13.10.2003 while first letter was sent in the year 2021. Even though a letter has been appended with the present petition and claimed to be sent in the year 2020, however, there is no proof of any such dispatch of the application for compassionate appointment and there is also no reference shown by the petitioner of subsequent correspondence about any request having been sent by him in the year 2004. Hence, the said document is *prima facie* non-existent. He further submits that even thereafter, the authorities have sent repeated correspondence to the petitioner to submit an application complete with all particulars so that an appropriate decision can be taken.
5. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.
6. Without going any further into the merits of the present case and without commenting on the rival claim or the objections raised by the learned counsel for the respondents, it is undisputed that the respondents have sent certain communications calling upon the petitioner to submit the application for compassionate appointment alongwith the requisite documents. Hence, the respondents have so far not adjudicated on the claim of the petitioner and they have expressed their readiness to examine the



same in accordance with law. Accordingly, the present petition is **disposed of** without commenting on the merits of the case and with a direction to respondent No.2-The Garrison Engineer (G.E.), Air Force (A.F.), Military Engineering Services, Chandigarh to take note of the legal notice dated 08.11.2023 (Annexure P-10) served by the petitioner and to pass a well reasoned and speaking order thereupon after granting an opportunity of hearing to the respective parties in accordance with law and preferably within a period of 04 months from the date of receipt of certified copy of this order.

(VINOD S. BHARDWAJ)
JUDGE

03.03.2025
Mangal Singh

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