



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

122

LPA-870-2025 (O&M)

Date of Decision: August 11, 2025

Kailash and another

.....Appellant(s)

Vs.

State of Haryana and others

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Dr. Rishi Pal Singh, Advocate
for the appellants.

Mr. Saurabh Mohunta, DAG, Haryana.

ASHWANI KUMAR MISHRA J. (ORAL)

CM-2176-LPA-2025

The present application has been filed seeking condonation of delay of 12 days in filing the appeal.

For the reasons mentioned in the application, which is duly supported by an affidavit, the same is ***allowed*** and delay of 12 days in filing the appeal, is hereby condoned.

LPA-870-2025

This appeal arises out of an order dated 20.01.2025, passed in CWP-31872-2024 dismissing the writ petition arising out of a claim for compassionate appointment.



2. Learned Single Judge has noticed the facts of the case, as per which the deceased employee had died on 01.11.1985. Claim for compassionate appointment was also rejected on the ground of laches. Writ petition came to be filed and dismissed after 38 years. These observations of the learned Single Judge contained in Para 4 and 6 of the judgment are reproduced hereunder:-

“4. It is evident from a perusal of the aforesaid operative part of the order that the plea for compassionate appointment of petitioner No.2 was rejected by the Civil Surgeon by making reference to the instructions issued by the Chief Secretary, Govt. of Haryana, issued vide letter No.16/21/88-6GS-II dated 03.11.1988, as per which cause of action for seeking compassionate appointment exists only for three years. The said letter is clarification of earlier letter dated 09.09.1985. It has also been set out that the petitioners never submitted any request for compassionate appointment till the year 2023 notwithstanding that a period of nearly 38 years had elapsed since the death of Ram Nath. It was also specifically recorded by the Civil Surgeon that grandson does not fall in the category of “Dependent” of the deceased employee as per the Haryana Government Ex.-Gratia Policy. Hence, in view of both the said conditions, the representation was dismissed. Aggrieved thereof, the instant petition has been filed.

x x x x x

6.6. Even on resumed hearing, learned counsel appearing on behalf of the petitioners has neither been able to refer to any instructions nor any policy as would entitle the petitioner to any further financial assistance or to indicate that the reasons given by the respondents while declining the representation are misplaced or not based upon the correct



interpretation of the instructions issued by the Government of Haryana.”

3. Today also, request for an adjournment is made. Considering the fact that the claim for compassionate appointment is grossly belated and the object of compassionate appointment otherwise being to provide immediate assistance for the family in distress, the rejection of appellant’s claim requires no interference.

4. In view of the above, the appeal stands ***dismissed***.

5. All pending application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

August 11, 2025
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Whether speaking/reasoned:	Yes / No
Whether reportable:	Yes / No