



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.10854-2025

Date of decision: 21.05.2025

Rajdeep

.....Petitioner

Versus

State Bank of India

.....Respondent

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

Present: Mr. Rishi Lal, Advocate for the petitioner.
Mr. Akshay Jain, Advocate for the respondent-Bank.

VINOD S. BHARDWAJ, J (ORAL)

1. Prayer in the instant petition is for setting aside order dated 07.02.2023 and for issuance of direction to the respondent to grant compassionate appointment to the petitioner.

2. Learned counsel appearing for the petitioner submits that the mother of the petitioner was appointed as part time Sweeper in the Section RBO-II of the respondent-Bank at Zonal Office, Punjab on 12.03.2001. She was converted to full time scale on the post of General Attendant by the Head Office vide Circular/letter No.CIRDO/HR/154/2005-06 dated 14.02.2006 and she continued as such. It is stated that mother of the petitioner unfortunately expired on 03.03.2022 due to long illness whereafter the petitioner submitted an application on 04.04.2022 seeking compassionate appointment under the Scheme of Bank for compassionate appointment. The claim of the petitioner has been declined by the respondents vide impugned order on the following grounds:



“a) That the scheme Annexure P.5, provides for appointment of a dependent family member of the employee, who dies while in service provided they fulfil the conditions therein.

b) That the case of the petitioner is that his mother who was employee of the respondent-bank was died during the service.

c) That the case of the petitioner has been rejected on the ground that the total gross family income is exceed and the case is not made out due to family gross income. That the respondent-Bank account the pension of the father of the petitioner which is not a well-reasoned.”

3 Learned counsel representing the respondent-Bank has contended that for being eligible to compassionate appointment, the gross salary of the family from all sources should not exceed 75% of the last gross salary drawn by the deceased employee. He contends that the petitioner has nowhere disputed the finding of fact recorded by the respondent-Bank about the gross salary of his mother as well as gross salary of the family which is to the extent of more than 94.49% of the last salary drawn of his mother-late Smt Darshna. He contends that the factual aspects are not disputed and therefore the petitioner does not become entitled to the grant of compassionate appointment since the compassionate appointment is not a substitute to the mode of recruitment. In support, he also relies on a judgment of Allahabad High Court in the matter of **Chanchal Sonkar vs. Chairman, State Bank of India and 5 others**, the relevant para 25 of the same reads as under:

“1 to 24. xxxx

xxxxx

25. The impugned order clearly discloses the income of the family of the deceased from various sources as contemplated in Clause 5 of the compassionate ground scheme cited earlier. The income of the family of the deceased so calculated is more than 60% of the last salary drawn by the deceased. In fact as per the aforesaid calculations, the family income of the petitioner is more than 75% of the last salary drawn. The income of the family so determined establishes that the family



does not face financial destitution as a result of the death of the employee. The respondents in the impugned order have been thus correctly found that the petitioner does not fulfil the criteria for grant of compassionate ground appointment as per the provisions of the compassionate ground appointment scheme applicable to the bank.”

4. Learned counsel for the petitioner is not in a position to dispute any of the factual findings recorded by the respondents while declining the claim of the petitioner for compassionate appointment nor he is in a position to dispute that the circulars dated 16.03.2021 and 17.03.2021 relied upon by the respondent-Bank stipulates any condition other than what has been relied upon by the petitioner.

5. In these circumstances, I do not find any illegality in the impugned order warranting any interference.

Dismissed.

May 21, 2025
manoj

(VINOD S BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No