



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

130

CWP-15107-2025 (O&M)
Date of decision: 23.05.2025

Harshita

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Arun Gupta, Advocate for the petitioner

Mr. Charanpreet Singh, AAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Learned counsel submits that the claim of the petitioner for compassionate appointment came to be rejected on the premise that her father was working as Pharmacist in the Government Department. He while drawing the attention of this Court to Clause 11(a) of the Instructions dated 10.07.2005/18.07.2005, prays for reconsideration of the claim, which reads thus:-

11. Where there is an earning member:

(a) In deserving cases even where there is already an earning member may be considered for compassionate appointment with prior approval of the Secretary of the Department concerned, who before approving such appointment will consult the Department of Personnel and satisfy himself that grant of compassionate appointment is justified having regard to number of dependents, assets and liabilities left by the Government servant income of the earning member as also his liabilities including the fact that the earning member is residing with the family of the Government servant and whether he should not be a source of support to other members of the family.

(b) In case where any member of the family of the deceased servant is already in employment and is not supporting the other members of the family of the Government servant, extreme caution has to be observed in "ascertaining the economic distress of the members of the family of the

Government servant so that the facility of appointment on compassionate ground is not circumvented and misused by putting forward, the ground that the member of the family already employed is not supporting the family.”

2. The aforesaid facts having been brought out, during the course of hearing, learned State counsel, on instructions, states that the respondents would not be averse to having a relook at the matter and decide afresh, taking note of the aforesaid Instructions, within a period of 4 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner.
3. The aforesaid satisfies the learned counsel for the petitioner.
4. The matter stands disposed of accordingly and if the petitioner is found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same may be passed after granting opportunity of hearing to her and shall contain reasons, whereupon she shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

23.05.2025

M.Kamra

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