



CWP-20488-2018 (O&M)

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

Sr. No.215**CWP-20488-2018 (O&M)****Date of decision: 11.11.2025**

Pooja

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Mr. A.K. Walia, Advocate, for the petitioner.

Mr. Surya Mittal, AAG, Punjab.

Mr. Vijay Lath, Advocate for respondent No.6.

DEEPINDER SINGH NALWA, J.(Oral)

1 In the present writ petition, the petitioner is praying for issuance of directions to respondent No.2 to consider the case of the petitioner for appointment on compassionate ground on the post of Peon being a widow of late Vikram Bahadur, Junior Assistant, who was working under respondent No.2 and also entitled for her share in the retiral benefits.

2. Brief facts of the instant case are that the petitioner was married to one Sh. Vikram Bahadur on 14.08.2008 in Gurudwara at Jalandhar in the presence of a relative of both the parties. Sh. Vikram Bahadur initially joined the services as a Clerk. Thereafter, he was promoted to the post of Junior Assistant. Unfortunately, Vikram Bahadur



expired on 16.01.2016 while in service. After the death of Vikram Bahadur, the petitioner submitted an application to the respondents for considering her case for appointment on compassionate ground on the post of Peon being a widow. As per the petitioner, her application was processed by respondent No.2 and was found eligible for compassionate appointment on the post of Peon. However, the case of the petitioner was not considered for grant of compassionate appointment and as a consequence of this, the petitioner has filed the present writ petition.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner was legally wedded wife of deceased Vikram Bahadur, as such, as per the policy in regard to grant of compassionate appointment issued by the respondents, the petitioner was entitled for grant of compassionate appointment.

4. Written statement dated 06.11.2025 on behalf of respondent No.6 has been filed in Court today. The same is taken on record.

5. Learned counsel appearing on behalf of the respondents submits that the case of the petitioner cannot be considered for grant of compassionate appointment for the reason that deceased Vikram Bahadur was already married to Anu (respondent No.6 herein). As the abovesaid marriage was not dissolved by the competent Court, as such, the second marriage contracted by deceased Vikram Bahadur with the petitioner was not a valid marriage as per the Hindu Marriage Act, 1955 and infact, was



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a void marriage. As such, the case of the petitioner cannot be considered for grant of compassionate appointment.

6. I have heard learned counsels appearing on behalf of the parties at length.

7. A perusal of the facts of the case would show that there is no dispute that deceased Vikram Bahadur was married to Anu (respondent No.6). No document has been brought to the notice of this Court that the first marriage contracted by deceased Vikram Bahadur with Anu has been dissolved in accordance with law. Apart from this, petitioner has also not been shown as a nominee in the service record of deceased Vikram Bahadur. As, the first marriage of deceased Vikram Bahadur was not dissolved in accordance with law, as such, the petitioner cannot be held as a legally wedded wife of deceased Vikram Bahadur.

8. Taking into consideration the abovesaid facts, it is held that the petitioner is not entitled for grant of compassionate appointment or any retiral benefit.

9. Accordingly, this Court finds no merit in the writ petition and the same is dismissed.

10. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(DEEPINDER SINGH NALWA)
JUDGE

11.11.2025
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No