



CWP-21633-2018

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

216

CWP-21633-2018 (O & M)

Date of decision: 04.03.2025

Gurbhej Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. H.S.Batth, Advocate for the petitioner.

Mr. Amarpeet Singh Bains, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the order dated 16.05.2018, Annexure P-7, vide which claim of the petitioner for appointment on compassionate grounds has been rejected.

2. The father of the petitioner, who was serving as ASI (Local Rank) No.58/Ferozepur, unfortunately passed away in harness on 16.03.2013, at which time, the petitioner was 17 years old and thus claim of his elder brother was raised which being overage was forwarded on 13.08.2015 for relaxation in age and to condone the period of delay but did not find favour with the Department of Home and on 30.04.2016 rejected the same in terms of Instructions.

3. The petitioner, who in the meantime even acquired the qualification of graduation in the year 2016 applied for the same which has been wrongly rejected on the solitary premise of it having been submitted after 4 years, as against the prescribed period of 1 year, as envisaged in Govt. Instructions dated 03.07.2008, Annexure R-1, without taking into account the facts as narrated in the preceding para.



CWP-21633-2018

4. The present being not a case that the petitioner kept waiting to attain the degree did not file any application for appointment but since his brother's claim was still under consideration, he could make a request only thereafter, ergo cannot be said to the one falling within the ambit of the above condition of limitation of 1 year, to that extent the impugned order is passed on an erroneous premise.

5. 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 have a relook at the matter and decide afresh, 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.

6. The aforesaid satisfies the learned counsel for the petitioner.

7. The matter stands disposed of accordingly.

04.03.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No