



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

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CWP-23824-2017 (O&M)
Date of decision: 18.03.2025

Gurdev Kaur

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. B.S. Jaswal, Advocate for the petitioner

Mr. Charanpreet Singh, AAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the order dated 25.07.2019, rejecting request for compassionate appointment to the adopted dependent son of the petitioner.
2. The husband of the petitioner, who was working as ASI, has passed away on 23.01.1993 while on duty. However, they had no issue from their wedlock. It is stated in the petition that the Bipanpreet Singh, who was son of Diljit Singh, a close relative having 3 sons, was adopted on 11.01.2008 through Panchayati Adoption Deed, Annexure P-1. The claim for compassionate appointment made on basis thereof, has been rejected on non-registration of the Adoption Deed, which has now been executed on 26.05.2016 at Ludhiana, Annexure P-7 and registered accordingly, when the said boy was 22 years old, regarding which reliance in para 6 of the preliminary submissions of the reply filed by way of affidavit of Additional Deputy Commissioner of Police dated 11.06.2018, has been made to Section 10 (4) of the Hindu Adoption and

Maintenance Act, 1956, which reads thus:

“ 10. Persons who may be adopted.

No person shall be capable of being taken in adoption unless the following conditions are fulfilled, namely:-

(i) he or she is a Hindu;

(ii) he or she has not already been adopted;

(iii) he or she has not been married, unless there is a custom or usage applicable to the parties which permits persons who are married being taken in adoption;

(iv) he or she has not completed the age of fifteen years, unless there is a custom or usage applicable to the parties which permits persons who have completed the age of fifteen years being taken in adoption.

3. Learned counsel for the petitioner was unable to controvert the above, even during course of arguments, thus, the present petition being devoid of merits, is hereby dismissed.

(AMAN CHAUDHARY)
JUDGE

18.03.2025

M.Kamra

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