



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

LPA No.2751 of 2024

Date of Decision: 13.01.2025

Harmanpreet Singh

...Appellant

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Kuljit Singh, Advocate,
for the appellant.

Mr. Shekhar Verma, Addl. AG, Punjab.

Mr. Akash Yadav, Advocate,
for respondents No.2 to 5.

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SANJEEV PRAKASH SHARMA J.(Oral)

Heard learned counsel for the appellant as well as learned counsel for respondents.

2. The grievance raised by the appellant is that he is entitled for grant of benefit of compassionate appointment with the respondent-Institution. The respondent-Institution is the ICT Education Society which is funded and controlled by the State Government remains an autonomous Society otherwise. Keeping in view the judgment passed in *Harpreet Kaur vs. State of Punjab and Others* in CWP No.29981 of 2018 decided on **04.02.2019** we hold that the writ petition would be maintainable as against the ICT which is State funded and State controlled Society and the view



taken by the Single Judge is erroneous. The judgment of ***Sukhdev Singh vs. State of Punjab and others*** in ***CWP No.17162 of 2016 decided on 02.05.2024*** no-where states that the writ would not be maintainable as against the concerned Society. It only states that the Society has not adopted the rules relating to the compassionate appointment and therefore, compassionate appointment cannot be granted to individual claiming on account of the death of the employee of the Society. We, therefore, while dismissing the present appeal claiming compassionate appointment, set-aside the view taken by the Single Judge in its judgment dated 03.09.2024 only with respect to the maintainability of the writ-petition.

3. The appeal is accordingly dismissed.

(SANJEEV PRAKASH SHARMA)
JUDGE

January 13, 2025
seema

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>