



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

240

CWP-25402-2023

Date of decision: 29.04.2025

Mamni Devi

...Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Ritesh Aggarwal, Advocate
for the petitioner.

Mr. Amarpreet Singh Bains, AAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. Learned counsel submits that the claim of the petitioner for compassionate appointment has been rejected vide impugned order dated 01.09.2023, Annexure P-5, on the ground that she is a widow daughter and does not fall within the definition of 'family' as per the rules. He relies on the judgment of this Court in **Amarjit Kaur vs. State of Punjab**, CWP-2218-2017, decided on 17.01.2020, wherein this Court after taking a holistic view of the object of the policy, declared Clause (c) of Note-I of Scheme for compassionate appointments-2002 as ultra vires of Articles 14 & 15 of the Constitution of India and struck it off, which was upheld by the Division Bench in LPA-462-2021, vide judgment dated 25.01.2023 and has attained finality up to Hon'ble the Supreme Court wherein SLP No. 9356-2023, challenging the same was dismissed on 18.10.2023. The afore-referred was also followed in **Jaspreet Kaur vs. State of Punjab**, CWP-24591-2021, decided on 24.07.2023. Pursuant thereto, vide Notification dated 29.01.2024, an amendment has been carried out in Note 1 (c) of para 3 of the said Scheme,



wherein the phrase “unmarried daughter” has been substituted with the word “daughter”. He, on instructions, prays that the matter would be reconsidered in the light of the afore-judgments in a time bound manner.

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 have a relook at the matter and decided afresh, taking note of the aforesaid judgments, 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

29.04.2025

Hemant

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