IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 3496 of 2021
Decided on : 25.04.2026

Megha Gautam

…Petitioner

Versus

State of Himachal Pradesh and others

…Respondents

Coram
Hon'ble Mr. Justice Ajay Mohan Goel, Judge
Whether approved for reporting?[1]

For the petitioner : Mr. Maan Singh, Advocate.

For the respondents : Mr. R.P. Singh, Deputy Advocate General.

Ajay Mohan Goel, Judge *(Oral)*

By way of this writ petition, the petitioner has, *inter alia,* prayed for the following reliefs:-

> *"(I) That impugned letter dated 19.9.2020 (Annexure P-7) may very kindly be quashed and set aside.*
>
> *(II) That the respondents may very kindly be directed to provide employment on compassionate grounds to the petitioner commensurate with her qualification, with immediate effect."*

1*Whether reporters of the local papers may be allowed to see the judgment?*

2. The case of the petitioner is that her father, who was serving in the Revenue Department, died in harness on 17.09.2013, while serving as a Patwari. She being an unmarried daughter and eligible to apply for the appointment, duly applied for appointment on compassionate basis on 12.05.2015. Her case was rejected in terms of order dated 19.09.2020 (Annexure P-7), on the ground that in the interregnum the petitioner solemnized marriage and married daughter is not eligible to be offered appointment on compassionate ground.

3. Learned counsel for the petitioner submitted that the issue as to whether an unmarried daughter after applying for appointment on compassionate ground, loses her status to be offered compassionate appointment, in case she solemnizes marriage before appointment is offered to her, stands decided by this Court in *CWP No. 12726 of 2025, titled Shyama Kumari Vs. State of Himachal Pradesh and others, decided on 20.04.2026,* in which case this Court has held that for the purpose compassionate appointment the status of the daughter has to be seen as on the date when she applied for it.

4. The judgment delivered on this aspect of the matter by this Court, could not be disputed by the State. Otherwise also, a perusal of the record demonstrates that the rejection of the case of the petitioner is solely on the ground that after she applied for the post, because she solemnized marriage, therefore, she was rendered ineligible to be considered for the post.

5. In light of the fact that this Court in *Shyama Kumari Vs. State of Himachal Pradesh and others (supra),* has held that an unmarried daughter does not loses her right to be offered appointment on compassionate basis, if she solemnizes marriage after filing of the application and before appointment is offered to her, this writ petition is allowed by quashing order dated 19.09.2020 (Annexure P-7), with further direction to the Authorities to consider the case of the petitioner for grant of compassionate appointment, in terms of the Policy, which was in vogue at the time when the father of the petitioner died, by treating her to be an eligible candidate. Let needful be done, within a period of 8 weeks. If petitioner is found eligible for appointment, she be offered appointment as per her seniority

under 5% quota. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

April 25, 2026
(Shivank Thakur)