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

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Date of decision: 08.04.2026

Sandeep & anr.

... Petitioners

Vs.

Haryana Power Utilities Shakti & ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

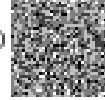
Present: Mr. G.S. Mann, Advocate
for the petitioners.

Mr. Vikrant Pamboo, Advocate
for respondents No.2 to 4.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to appoint petitioner No.1 on the basis of compassionate appointment on account of death of his father, who died in harness in view of the compassionate appointment policies of 2003/2019 (Annexures P-7/P-8) by allowing the petitioners to deposit the amount of compassionate Financial Assistance of Rs.2.5 lakhs with upto date interest, as has been done in the case of other similarly situated persons (Annexures P-4 to P-6).

2. Learned counsel for the petitioners *inter alia* contends that father of petitioner No.1 and husband of petitioner No.2 died in harness on 28.09.2005. Petitioner No.2 applied for appointment of her son-petitioner No.1 on compassionate ground on 09.12.2005 under the 2003 Ex Gratia



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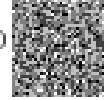
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Policy. However, instead of granting him compassionate appointment, the respondents sanctioned monetary compensation of Rs.2.5 lacs on 02.05.2007 on the ground that name of petitioner No.1 does not fall under the seniority list prepared for the same. The petitioners found that in at least three comparable cases under an ancillary of Haryana Power Utilities, dependents of deceased employees (who died between the years 2000-2002) were initially paid monetary compensation, but were subsequently allowed to refund the compensation with interest and were granted compassionate appointment on 06.10.2023 as discernible from Annexures P-4 to P-6. The petitioners submitted a representation dated 08.05.2024 (Annexure P-9) followed by legal notice dated 12.12.2024 (Annexure P-10). But the same remained unheeded. Further the petitioners undertake to refund the monetary compensation received on 02.05.2007 along with interest in case, petitioner No.1 is considered for compassionate appointment.

3. Notice of motion.

4 Mr. Vikrant Pamboo, Advocate, who is present in the Court, accepts notice on behalf of respondents No.2 to 4.

5. *Per contra*, learned counsel for respondents No.2 to 4 opposes the prayer made on the ground that the petitioners received the monetary compensation on 02.05.2007 and remained indolent for 18 years and are now raising their claim at this belated stage. Further, the compassionate appointment is not a vested right and it has been examined strictly in accordance with law. Further, the case of the petitioners suffered from delay



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and laches.

6. Learned counsel for the petitioners submits that at this stage, the petitioners would be satisfied, if the legal notice dated 12.12.2024 (Annexure P-10) submitted by them is decided by respondent No.2, by passing a speaking order, after affording an opportunity of hearing to them, in a time bound manner.

7. Learned counsel for respondents No.2 to 4 has no objection, in case a direction is issued to respondent No.2 to consider and decide the legal notice dated 12.12.2024 (Annexure P-10), in a time bound manner, by passing a speaking order.

8. In view of the limited prayer made by learned counsel for the petitioners, present petition is disposed of and respondent No.2 is directed to consider and decide the legal notice dated 12.12.2024 (Annexure P-10) and pass a speaking order, after affording an opportunity of hearing to the petitioners, within a period of three months from the date of receipt of certified copy of this order.

9. Further, the decision taken on the legal notice dated 12.12.2024 (Annexure P-10) shall be conveyed to the petitioners.

10. Needless to say, if the petitioners is found entitled to the relief sought, the same be granted to them forthwith by the competent authority.

08.04.2026
monika

[HARPREET SINGH BRAR]
JUDGE

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