

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-10602-2001 (O&M)

Decided on 24.03.2026

Bimla Devi

... Petitioner

VS.

Central Bank of India & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. NC Manchanda, Advocate for
Mr. Vipul Thakur, Advocate for the petitioner

Mr. NP Singh, Advocate for the respondent

Sandeep Moudgil, J.

(1). The present writ petition has been filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking issuance of a writ in the nature of certiorari for quashing the action of the respondents in terminating the services of the petitioner from the post of Sweeper against compassionate grounds in lieu of her mother-in-law.

(2). Smt. Mansi Devi, mother-in-law of the petitioner, was appointed as Sweeper with Respondent No.1-Bank in the year 1970 and served until her death on 30.07.1998. The petitioner claims compassionate appointment as Sweeper on 01.08.1998 and she continued until September 2000 to the satisfaction of superiors, with no complaints. Her father-in-law, Sh. Atma Ram, pursued terminal benefits via CWP No.7239 of 2000, where the Bank confirmed depositing GPF (Rs.53,597.44 on 09.02.1999) and gratuity (Rs.32,378 on 10.11.1998) into his account, released on 12.07.2001, though family pension was denied due to non-option for pension scheme. The

petitioner seeks regularization or compassionate employment, alleging violation of Articles 14 and 16 of the Constitution.

(3). Learned counsel for the petitioner contends that her mother-in-law, Smt. Mansi Devi, served as Sweeper with Respondent No.1 since 1970 with dedication and no complaints till death on 30.07.1998, leading to petitioner's compassionate appointment on 01.08.1998 till September 2000 to superiors' satisfaction, but respondents deny regular appointment, stating she worked solely on daily wages at Rs.25/day in isolated months as *ad hoc* substitute, unsupported by any service records or continuity proof, thus failing to establish valid employment.

(4). It is asserted that the petitioner claim eligibility under the compassionate/ex-gratia scheme as a dependent of the deceased employee, rejecting the daily-wage label and alleging the denial violates Articles 14 and 16 of the Constitution emphasizing non-arbitrariness in public employment), but respondents counter that a daughter-in-law falls outside the policy's scope (Annexure R1), which limits relief to specified dependents like spouses and children, her temporary substitute work creates no right to regularization or absorption and the husband's receipt of all terminal benefits precludes any further claim.

(5). The petitioner has not been able to establish that she was ever appointed on a regular basis against the post of Sweeper and, at best, she worked intermittently as a daily wager for certain months, which by itself does not create any right of regularization or continuance in service in the absence of a substantive appointment under the rules. The Court further finds that the compassionate appointment policy relied upon is a specific, scheme-based

exception meant to provide immediate succour to the family of a deceased employee, and its benefits cannot be claimed either *de hors* its terms or by a person who does not fall within the defined zone of “dependent family members”, which in this case does not include a daughter-in-law, to read such an inclusion by interpretation or sympathy would amount to rewriting the scheme, which is impermissible. Once it stands admitted on the record of the earlier writ that all terminal dues, including GPF and gratuity, have been released to the husband of the deceased employee, the very foundation of financial distress which underlies a claim for compassionate appointment also stands substantially eroded, and there is no warrant for directing a second-tier employment benefit in favour of the petitioner on the same death.

- (6). Petition devoid of merit.
- (7). Dismissed.
- (8). Pending application(s), if any, stands disposed of.

24.03.2026
V.Vishal

(Sandeep Moudgil)
Judge

- | | | |
|-------------------------------|---|--------|
| 1. Whether speaking/reasoned? | : | Yes/No |
| 2. Whether reportable? | : | Yes/No |