

CWP-15217-2026

2026:PHHC:083730



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

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Date of Decision: **26.05.2026**

Anil Kumar

....Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Surinder Garg, Advocate for the petitioner.

Ms. Pratibha Bali, AAG Punjab.

Mr. Brijeshwar Vashist, Advocate for respondent No.3.

Mr. Ajay Pal Singh, Advocate for respondents No.4 and 5.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of *mandamus* directing the respondents to give appointment on compassionate basis to the petitioner as his father namely Sh. Sham Lal, who was working as Sewerman with the respondent No.3 died during service on 30.06.2022 as the petitioner is fully eligible to be appointed on compassionate basis.

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2. Mr. Ajay Pal Singh, Advocate filed Power of Attorney on behalf of respondents No.4 and 5 in the Court today, which is taken on record. Registry is directed to place the same at an appropriate place.

3. On 15.05.2026, the following order was passed by this Court:-

1. *Learned counsel for the petitioner, inter alia, contends that the father of the petitioner was working as a Sewerman with the Municipal Council, Jaitu. While serving in the Municipal Council, he was sent on deputation to the Punjab Water Supply and Sewerage Board, where he died in harness on 30.06.2022. The petitioner applied for compassionate appointment along with affidavits of the other legal heirs stating their no objection to the petitioner's appointment. Further, the Municipal Council, Jaitu passed Resolution No.112 dated 30.08.2023 (Annexure P-4), recommending compassionate appointment for the petitioner. However, despite the said resolution, no appointment letter has been issued to the petitioner. The petitioner repeatedly visited the respondents, but no action was taken. A legal notice was served way back on 02.12.2024 (Annexure P-6); however, the Municipal Council, Jaitu and the Punjab Water Supply and Sewerage Board have been shifting responsibility onto each other instead of providing compassionate appointment to the petitioner. The entire family of the petitioner is facing severe financial hardship on account of the death of the sole breadwinner.*

2. *At this stage, learned State Counsel seeks a short accommodation to obtain complete instructions and file an*

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appropriate affidavit on behalf of respondent No.2 in the facts and circumstances of the case.

3. *This Court has observed a consistent pattern whereby employees who have served in the Municipal Services as well as the Punjab Water Supply and Sewerage Board are being subjected to unnecessary hardship and inconvenience, particularly after retirement, by the Municipal Bodies as well as the Punjab Water Supply and Sewerage Board, in matters relating to the discharge of obligations arising out of the past services rendered by them in both organizations.*

4. *Accordingly, the Chief Executive Officers of the Board concerned are directed to file their respective affidavits furnishing complete particulars of the employees who were initially appointed in respondent No. 4 Punjab Water Supply and Sewerage Board and deputed/transferred to various Municipal Bodies in the State of Punjab and ultimately absorbed therein. The affidavits shall also contain details of those employees who, though initially appointed in respondent No. 4-Board, continue to serve on deputation with Municipal Bodies or any other Government organization, in the following format.*

<i>Sr. No.</i>	<i>Name</i>	<i>Date of initial appointment</i>	<i>Sent on deputation (Yes/No)</i>	<i>Date of Deputation</i>	<i>Whether absorbed or not (Yes/No)</i>	<i>Date of Absorption</i>

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5. Further, The Director, Local Bodies, Punjab, is also directed to file an affidavit furnishing complete particulars of the employees who are presently working on deputation with, or have been absorbed into, the Municipal Services, in the aforesaid format. Sr. No. Name Date of Deputation

Sr. No.	Name	Date of Deputation	Whether Absorbed or not (Yes/No)	Date of Absorption

6. Accordingly, adjourned to 26.05.2026.”

4. Affidavit of Kulwant Singh, Director, Department of Local Government, Punjab on behalf of respondent No.2, and affidavit of Deepti Uppal, IAS, Chief Executive Officer, Punjab Water Supply & Sewerage Board, filed today in Court, are taken on record. Registry is directed to place the same at an appropriate place in the record file.

5. Learned State Counsel submits that only the list of serving employees has been furnished, whereas the father of the petitioner had already expired on 30.06.2022. It is further submitted that the deceased employee was initially appointed by the Municipal Council, Jaitu, and thereafter proceeded on deputation to the aforesaid Punjab Water Supply & Sewerage Board. It is, thus, contended that Resolution No.112 dated 30.08.2023 (Annexure P-4) has been duly passed by the Municipal Council,

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Jaitu, recommending the case of the petitioner for compassionate appointment.

6. I have heard learned counsel for the parties and have gone through the record with their able assistance. It is an admitted position that the father of the petitioner was initially appointed in the Municipal Council, Jaitu, and thereafter deputed to respondent No.5, where he unfortunately died in harness on 30.06.2022. It is further evident that consequent thereto, the Municipal Council, Jaitu passed Resolution No.112 dated 30.08.2023 (Annexure P-4) recommending compassionate appointment in favour of the petitioner. In view thereof, the competent authority to consider and decide the claim of the petitioner for compassionate appointment, in accordance with the applicable policy, would be respondent No.2.

7. In view of the facts and circumstances of the case and without expressing any opinion on the merits of the claim, the present petition is disposed of with a direction to respondent No.2 to consider the case of the petitioner for compassionate appointment strictly in accordance with the applicable policy governing compassionate appointment, within a period of six weeks from the date of receipt of a certified copy of this order, in the light of Resolution No.112 dated 30.08.2023 (Annexure P-4). The decision so taken shall be by way of a reasoned and speaking order, after affording due opportunity of hearing to the petitioner.

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8. Any deviation from or non-compliance of the directions issued by this Court shall entitle the petitioner to move an appropriate application under Article 215 of the Constitution of India for initiation of contempt proceedings against the erring officials in accordance with law.

9. All pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

26.05.2026

Puneet Chawla

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No