



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

Sr. No.216

**CWP-33498-2019 (O&M)
Date of decision: 07.04.2026**

Jaspreet Singh

..... Petitioner

VERSUS

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Mr. Ranjivan Singh, Advocate and
Mr. Husandeep Singh, Advocate
for the petitioner.

Mr. Rohit Verma, Senior Panel Counsel
for respondent No.1-UOI.

Mr. Lajwant S. Virk, Senior Standing Counsel with
Mr. Gaurav Rana, Advocate
for respondent No.2-UT, Chd.

Mr. Ujval Mittal, Advocate
for respondents No.3 to 5-MC, Chd.

DEEPINDER SINGH NALWA, J.(Oral)

1 In the present writ petition, the petitioner has challenged the communication/memo dated 11.12.2018 (Annexure P-3), memo dated 27.11.2018 (Annexure P-4) and memo dated 08.11.2018 (Annexure P-5), whereby, the claim of the petitioner for grant of compassionate appointment on Group-D post, has been rejected.

2. The brief facts of the present case are that the father of the petitioner was working in respondent-Municipal Corporation on regular



basis as Mason. Unfortunately, the father of the petitioner expired on 16.06.2016, while in service. The widow of the deceased-employee submitted a representation to the competent authority for grant of compassionate appointment to her son i.e. the petitioner. It transpires that the application submitted by the widow of the deceased-employee was duly considered for grant of compassionate appointment, however, the same was rejected vide communication/memo dated 11.12.2018 (Annexure P-3). A perusal of the abovesaid memo would show that reliance has been made to the instructions issued by the Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) dated 16.01.2013 and, the claim of the petitioner has been rejected on the basis of abovesaid instructions. It further transpires that earlier also, as per the internal communications, the claim of the petitioner was rejected. The copy of the internal communications/memo dated 27.11.2018 and 08.11.2018 are attached as Annexures P-4 & P-5 respectively. Aggrieved against the rejection of the claim of the petitioner for grant of compassionate appointment, the petitioner has filed the present writ petition.

3. Learned counsel appearing on behalf of the petitioner submits that employees of the MC, Chandigarh are subject to same conditions of service as applicable to employees of State of Punjab in light of the notification dated 13.01.1992 (Annexure P-7), as such, the instruction issued by the Government of India dated 16.01.2013 (Annexure P-6) will



not be applicable in case of the petitioner. He submits that as per the rules framed by the State of Punjab in regard to compassionate appointment is concerned, compassionate appointment can be offered on any post. As such, the petitioner is entitled to be considered for grant of compassionate appointment.

4. On the other hand, learned counsel appearing on behalf of the respondents No.3 to 5-Municipal Corporation, Chandigarh submits that office memorandum/instructions dated 16.01.2013 (Annexure P-6) will be applicable in the case of the petitioner as the same has been adopted by the respondents. He further submits that a perusal of the abovesaid office memorandum/policy would show that the compassionate appointment can be offered only on Group-C post. As such, the case of the petitioner cannot be considered for grant of compassionate appointment on Group-D post.

5. I have heard the learned counsel appearing on behalf of the parties at length and have perused the record with their able assistance.

6. The only issue involved in the present case is whether the office memorandum/policy issued by the Government of India dated 16.01.2013 (Annexure P-6) will be applicable or the rules framed by the State of Punjab in regard to grant of compassionate appointment would be applicable.



7. The abovesaid similar issue came up for consideration before the Coordinate Bench of this Court in **CWP-27096-2016** titled as **Ved Parkash Vs. Municipal Corporation, Chandigarh and another** decided on 10.09.2025, wherein, it was held that the compassionate appointment policy of the Central Government will be applicable for the purpose of grant of compassionate appointment in respondent-Corporation and not the compassionate appointment policy of State of Punjab. Relevant extract of the judgment is reproduced below for reference:-

“9. As per aforesaid Rule, the employees of U.T Administration, Chandigarh are governed by Rules and Regulations applicable to Punjab Government Employees. As per compassionate appointment policy framed by the State of Punjab, there is no cap and any post meant for direct recruitment can be filled up against compassionate appointment. The respondent has placed on record letter dated 22.12.1998 issued by the U.T. Administration, Chandigarh which indicates that Administration has adopted compassionate policy of Central Government. Letter dated 26.11.2013 issued by Administration to Municipal Corporation, Chandigarh further fortifies that Administration has adopted compassionate policy applicable to Central Government Employees. In the absence of any notification or communication of U.T. Administration, Chandigarh, it cannot be concluded that U.T Administration, Chandigarh despite aforesaid letters has adopted compassionate policy of State of Punjab.”



8. Learned counsel appearing on behalf of the petitioner could not distinguish the abovesaid judgment dated 10.09.2025 passed by the Coordinate Bench.

9. Even otherwise also, 10 years have passed since the death of the father of the petitioner. It is well settled law that compassionate appointment is not a vested right. It is also not a mode of appointment. The object of grant of compassionate appointment is to remove immediate hardship caused to the family due to death of the deceased-employee.

10. In view of the above, this Court finds no illegality in the impugned communications/memos. Accordingly, the present writ petition is hereby dismissed.

11. Pending miscellaneous application(s), if any, also stands disposed of.

(DEEPINDER SINGH NALWA)
JUDGE

07.04.2026

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No