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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4530/2026 & CM APPL. 22093-22094/2026**

RAJ KUMARI

.....Petitioner

Through: Mr. Sandeep Sharma, Advocate.

versus

PUNJAB AND SIND BANK & ANR.

.....Respondents

Through: Mr. Anant Gautam, Mr. Vibhu Sharma, Mr. Rishi Chauhan, Mr. Aman Gahlot, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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21.04.2026

1. The Petitioner's father was employed as a Sweeper-cum-Peon with Respondent No. 1 and died in harness on 10th January, 2018. The Petitioner thereafter applied for appointment on compassionate grounds, which stands declined by communication dated 12th December, 2025. Though the said communication was issued in Hindi, the translated version, undisputed between the parties, is reproduced below:

*"Smt. Raj Kumari
D/o Late Sh. Shripal
1788 B-Block, Ph. – 02,
Metro Vihar Holambi Kalan
North-West Delhi – 110082,
Ma'am,*

Subject: Regarding appointment on compassionate grounds of Smt. Rajkumari D/o Late Sh. Shripal (Former Subordinate Employee).

With reference to the above subject, you are informed that during the process of your application for appointment on compassionate grounds, a meeting was held on 14.11.2025 to obtain a No objection Certificate (NOC) in your favour from the legal heir of the Late Sh. Shripal, (former subordinate employee). In this meeting, both you and Sh. Amit son of Late Sh. Shripal were present. However, Sh. Amit Son of Late Sh. Shripal did not submit No Objection Certificate (NOC) in



your favour, claiming his right to appointment on compassionate grounds. Consequently, No consensus could be reached between you and Sh. Amit son of Late Sh. Shripal, and we were unable to obtain the necessary No Objection Certificate (NOC) for your application. Given these circumstances, we inform you that as per bank guidelines, the process of your application for appointment on compassionate grounds cannot be furthered until all necessary conditions are met.
Your sincerely
Prem Shankar Singh
Deputy General Manager.”

2. A careful reading of the above makes it evident that the Petitioner’s application has not been rejected on merits; rather, the process has been stalled owing to her inability to furnish a No Objection Certificate (“NOC”) from the other surviving legal heir, which is treated as a precondition under the governing policy.

3. In this context, the “Comprehensive Scheme for Appointment on Compassionate Grounds and Payment of Ex-Gratia Amount in Lieu of Appointment on Compassionate Grounds”, dated 16th July, 2018, assumes significance. A copy thereof has been handed over by counsel for the Respondents and is taken on record. Clause 2 of the Scheme defines ‘dependent family member’ as follows:

“2. *DEPENDENT FAMILY MEMBER:*

A) For appointment on Compassionate Grounds/payment of Ex-Gratia amount in lieu of appointments on compassionate grounds:

2.1 Spouse; or

2.2 Wholly dependent son (including legally adopted) or

2.3 Wholly dependent daughter (including legally adopted) or

2.4 Wholly dependent brother or sister in the case of unmarried employee.”

To operationalise the above, the procedure prescribed in Clauses 12 and 13 reads as under:

“12. *PROCEDURE*

a) The prescribed proformas (Annexure-I, part A-B) to be used by the



bank for ascertaining necessary information and processing the cases of compassionate appointment.

b) An Officer of the Bank should meet the members of the family of the employee in question immediately after his death to advise and assist them in getting appointment on compassionate ground. The applicant should be called in person at the very first stage and advised in person about the requirements and formalities to be completed by him/her.

c) An application for appointment on compassionate ground should be considered by the Committee of officers consisting of three officers: one Chairman (of the committee) and two members in the rank of Deputy General Manager/Assistant General manager. The Officer from the staff welfare department may also be made one of the members of the Committee, depending upon his rank. The Committee may meet as and when required and dispose the application(s) received as on date of meeting. The applicant may also be granted personal hearing by the committee, if necessary, for better understanding of facts of the case. The recommendation of the committee should be placed before the Competent Authority for a decision. If the Competent Authority disagrees with the committee's recommendation, the case may be referred to the higher authority for a decision.

13. UNDERTAKING FOR MAINTENANCE OF THE FAMILY OF THE DECEASED EMPLOYEE (IN CASE OF APPOINTMENTS ON COMPASSIONATE GROUNDS)

The person appointed on compassionate grounds under the Scheme, should give an undertaking in writing (as per Annexure-3), that he/she will maintain properly the other family members who were dependent on the deceased employee in question. In case it is proved subsequently (at any time) that the family members are being neglected or are not maintained properly by him/her, his or her appointment may be terminated forthwith. This clause should be incorporated as one of the conditions in the offer of appointment."

4. The Scheme, thus, contemplates a framework where the appointment is intended to benefit the family as a whole. The requirement of an NOC is rooted in ensuring consensus amongst eligible dependents, particularly since Clause 13 mandates an undertaking by the appointee to maintain all dependent family members.



5. The policy further underscores that failure to maintain such dependents may result in termination of the compassionate appointee. The underlying rationale, therefore, is to ensure that the benefit of compassionate appointment is channelled in a manner that serves the collective interest of the family, rather than individual preference.

6. In the present case, the dispute appears to stem from inter se differences between the Petitioner and her brother. It has been submitted that the deceased had, during his lifetime, disowned the son. While this may explain the strained relations and the refusal to grant NOC, this Court, in exercise of jurisdiction under Article 226 of the Constitution of India, is primarily concerned with examining whether the decision of the Respondent Bank is arbitrary or contrary to the governing policy.

7. Upon consideration, this Court finds that any direction to process the Petitioner's application in the absence of the requisite NOC would effectively amount to rewriting the terms of the Scheme, which is impermissible. The decision of the Respondent Bank, being in conformity with the policy framework, does not warrant interference.

8. It is, however, clarified that in the event the Petitioner is able to resolve the inter se dispute with her brother and obtain the requisite consent, she shall be at liberty to reapply. In such a situation, the Respondent Bank shall consider her application afresh in accordance with the applicable Scheme and take a decision expeditiously.

9. With the aforesaid observations, the present petition is disposed of along with pending application(s), if any.

SANJEEV NARULA, J

APRIL 21, 2026/ab