



\$~190

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

+ W.P.(C) 6408/2026 and CM APPL. 31643/2026

SURAJ SINGH & ANR.

.....Petitioners

Through: Ms.Adv.[appearance not given.]

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Harsh Choudhary, CGSC
with Mr. Vanshul Pali, GP with
Ms. Ayushika Mishra, Mr.
Kunal Yadav, Advs. with Insp.
Sanjay Kumar, SI/Exe. Kumar
Gaurav and SI/Exe. Rahul
Kumar, CISF.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

12.05.2026

1. The present Petition is a rather strange case wherein the Petitioners seek issuance of a writ in the nature of mandamus directing the Respondents to consider and appoint Petitioner No.1 to a suitable post in the Central Industrial Security Force ('CISF') on compassionate ground, on account of the death of his father, Late Sh. Makan Singh, who passed away while serving as a Head Constable/GD with the CISF.
2. In order to comprehend the issues involved in the present case, the relevant facts, in brief, are required to be noticed.
3. A perusal of the record reflects that Sh. Makan Singh married twice during his lifetime. His first marriage came to be solemnized with Smt. Rikhuli Devi/Petitioner No.2 and the couple was blessed



with three children, including Petitioner No.1, were born. Thereafter, he entered into a second marriage, with Smt. Guddi Devi, and from the said union also three children were born.

4. As borne out from the service records, Sh. Makan Singh had nominated Smt. Guddi Devi as the beneficiary for the purpose of disbursement of service-related benefits. On 26.02.2013, Sh. Makan Singh passed away, while he was still in service, due to cardiac arrest. Accordingly, the admissible terminal benefits were released/paid to the Smt. Guddi Devi.

5. Subsequently, in the year 2018, Smt. Rikhuli Devi filed a Civil Suit seeking declaration of her status as the legally wedded wife of Sh. Makan Singh and consequential reliefs relating to pensionary benefits and other similar service benefits. By way of the aforesaid suit, a prayer challenging the validity of his second marriage with Smt. Guddi Devi was also made.

6. The said suit came to be decreed on 14.06.2022 in favour of Smt. Rikhuli Devi, whereafter, Smt. Guddi Devi filed a First Appeal against the said decree, however, the same was dismissed on 15.04.2023. Following which, in the year 2023, Smt. Guddi Devi and her son filed a Writ Petition bearing W.P.(C) No. 13028/2023 seeking grant of compassionate appointment, however, the same was also dismissed on 11.08.2025.

7. Now, in the year 2026, the Petitioner No.1, who is presently of 34 years of age, has filed the present Petition seeking compassionate appointment in CISF.

8. As per the service manual governing compassionate appointment, consideration of such a claim as made by the Petitioner No.1 is subject to, *inter alia*, production of a No Objection Certificate



(‘NOC’) from the legal heirs of the deceased employee. However, as is evident Sh. Makan Singh is also survived by three children from his second marriage. As such, owing to the *inter se* dispute between the legal heirs of Sh. Makan Singh from his first and second marriage, the requisite NOC in favour of Petitioner No.1 is not forthcoming from the legal heirs from the second marriage.

9. It is well-settled that compassionate appointment is not a vested right, but an exception carved out to the general rule of recruitment, intended solely to enable the family of a deceased employee to tide over sudden financial hardship caused by his untimely demise. On the contrary, in the present case, it is an undisputed fact that a period of approximately 13 years has elapsed since the death of Sh. Makan Singh.

10. Keeping in view the aforesaid position, this Court is of the considered view that at this stage, it would not be appropriate to issue directions to the Respondents to consider the case of Petitioner No.1 for compassionate appointment.

11. Accordingly, the present Petition is dismissed. The pending application also stands closed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MAY 12, 2026

jai/hr