

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

- 1) CWP-3240-2025 (O&M)  
Reserved on: 25.08.2025  
Pronounced on: 02.09.2025
- Amandeep Kaur ...Petitioner  
Versus  
State of Punjab and others ...Respondents
- 2) CWP-4283-2025 (O&M)
- Ravinder Kaur ...Petitioner  
Versus  
State of Punjab and others ...Respondents
- 3) CWP-3236-2025 (O&M)
- Harpreet Kaur ...Petitioner  
Versus  
State of Punjab and others ...Respondents

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

**Present:** Ms. Amandeep Kaur, Advocate for  
Ms. Pridhi Sandhu, Advocate  
for the petitioner.

Mr. Vikas Arora, DAG, Punjab.

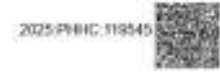
Mr. Viren Sibal, Advocate  
for respondent No.2-PSPCL  
(in CWP-4283-2025).

Mr. Rajesh Sehgal, Advocate  
for the respondents-PSPCL (in remaining two cases).

**HARPREET SINGH BRAR, J. (ORAL)**

1. The above referred three writ petitions are being decided by this common order as the similar question of law is involved therein. For the sake of brevity, the facts are being extracted from CWP 3240-2025.

2. The instant writ petition has been filed seeking a writ in the nature of *certiorari* for quashing and setting aside the order dated 07.03.2023 (Annexure P-6) passed by the Respondent no. 2 Corporation (Punjab State

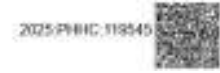


Power Corporation Ltd.) whereby the claim of the petitioner for compassionate appointment has been rejected on the sole ground that the petitioner is a “married daughter”. Further, the petitioner seeks a writ in the nature of *mandamus* directing Respondent no. 2-Corporation to appoint the petitioner on compassionate grounds without any further delay in terms of the policy dated 27.10.2022 (Annexure P-1), framed for grant of compassionate appointment to dependents of Punjab State Electricity Board (now Punjab State Power Corporation Limited) employees who had expired before 16.04.2010 and were earlier covered under the Solatium Policy.

### **FACTUAL BACKGROUND**

3. Briefly, the facts leading to filing of the present petition are that the father of the petitioner was working as Assistant Lineman under the Punjab State Power Corporation Limited (in short ‘Corporation’), formerly known as Punjab State Electricity Board. He unfortunately died in harness on 03.04.2010. At the time of his death, the petitioner was married to Jaspal Singh and has one sister, one brother and mother. The petitioner is taking care of her mother who was completely dependent upon the deceased father. After the death of her father, the petitioner was granted monetary compensation in view of the solatium policy dated 23.11.2004.

4. Subsequently, the Department of Power, Government of Punjab, notified a new scheme dated 27.10.2022, introducing a policy to consider the cases of compassionate appointment of dependents of employees who had died prior to 16.04.2010 and who had earlier been granted solatium in lieu of employment. In furtherance thereof, the respondents issued a public notice dated 06.12.2022 (Annexure P-4), inviting online applications. The petitioner submitted her application within time along with all relevant documents and



affidavits (Annexure P-5). However, her claim was rejected by the respondent/Corporation vide impugned order dated 07.03.2023 (Annexure P-6), on the ground that she is a "married daughter" and hence, not covered under the definition of "dependent" as per the policy.

### **CONTENTIONS**

5. Learned counsel for the petitioner submits that the rejection of the petitioner's candidature is wholly unsustainable in the eyes of law. With the issuance of the Notification dated 27.10.2022, the petitioner became eligible for compassionate appointment and her application ought to have been considered on merits without discriminating on the basis of her marital status. It is further submitted that the State Government has already amended the relevant policy vide Notification dated 29.01.2024, whereby the word "unmarried daughter" was substituted with "daughter", thereby removing the discriminatory classification. Thus, once the law has been laid down and the policy has been amended accordingly, the respondent/Corporation cannot be permitted to deny the benefit of compassionate appointment to the petitioner on the basis of her marital status, especially when she was eligible at the time of her father's death and had duly applied for the benefit under the revised scheme.

6. *Per contra*, learned counsel appearing on behalf of respondents opposes the submissions made by learned counsel for the petitioner and submits that at the time when the petitioner's claim was considered, the applicable policy did not include "married daughters" in the definition of dependent family members. It is further contended that the petitioner's application was rightly rejected under the applicable policy guidelines and the amended policy dated 29.01.2024 cannot be applied retrospectively. It is the stand of the respondents that the eligibility conditions must be assessed as per the policy in

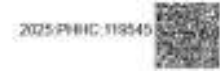


force at the time of consideration of the application and not in light of subsequent amendments.

### **OBSERVATION and ANALYSIS**

7. I have heard the learned counsel for the parties and perused the record of the case with their able assistance. The issue of compassionate appointment to married daughters is no longer *Res integra*. The question has been authoritatively settled by the judgement of this Court in **CWP No.2218 of 2017** titled as ***Amarjit Kaur vs State of Punjab and others***, decided on **17.01.2020**, wherein this Court held that the exclusion of married daughters from the ambit of compassionate appointment is violative of Articles 14 and 15 of the Constitution of India. The Division Bench in **LPA No.462 of 2021** affirmed the said judgment and the challenge before the Hon'ble Supreme Court was also repelled with the dismissal of **SLP No.9356 of 2023** on **18.10.2023**. The principle laid down therein has been followed by this Court in subsequent judgment ***Jaspreet Kaur vs. State of Punjab and others*** (**CWP-24591-2021**, decided on **24.07.2023**).

8. In response to the settled position of law, the Government of Punjab rightly issued a Notification dated 29.01.2024, amending Clause (c) of Note-I to substitute the term "unmarried daughter" with "daughter", thereby doing away with the unconstitutional distinction. Once the policy itself stands amended, and more importantly, once the law on the subject has been declared and upheld up to the Hon'ble Supreme Court, there remains no justification for the respondents to rely upon the earlier policy to deny employment on compassionate grounds to a married daughter who was otherwise eligible at the relevant point of time.



9. It is not disputed that the father of the petitioner in **CWP no.3240-2025** had died in harness on 03.04.2010 and she was granted solatium under the then applicable policy dated 23.11.2004. The father of the petitioner in **CWP no.4283-2025** had died in harness on 25.06.2009 and she was also granted solatium at that time. The father of petitioner in **CWP no.3236-2025** died on 29.12.2009, however, she was not granted solatium at that time. Thus, in all three cases, the death has occurred prior to the cut off date of 16.04.2010 as mentioned in the policy dated 27.10.2022 (Annexure P-1).

10. In light of the above discussion, the impugned orders rejecting the claim of the petitioners for compassionate appointment, are hereby quashed. The writ petitions are accordingly allowed.

11. The respondent/Corporation is directed to reconsider the claim of the petitioners for compassionate appointment afresh, in the light of the amended policy dated 29.01.2024 and the settled legal position as discussed above. In case the petitioners satisfy all other conditions or parameters of the policy, they shall be offered a suitable appointment within a period of three months from the date of receipt of a certified copy of this order.

12. Photocopy of this order be placed on the files of the connected cases.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**02.09.2025**

*Neha*

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No