



CWP-1588-2021

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

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CWP-1588-2021 (O & M)
Date of decision: 27.03.2025

Rani

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Tanya Vashist, Advocate for
Mr. S.S.Nain, Advocate, for the petitioner.

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Learned counsel submits that the father of the petitioner, who was serving as S.B.A., died on 18.11.2016 and she had sought compassionate appointment, vide representation dated 26.07.2017, with 'No Objection' from her sisters, who had filed affidavits dated 06.08.2020, Annexure P-3, however, the claim was not considered, to which reminders/representation dated 20.05.2018, 09.12.2018, 08.08.2019 and 07.01.2021, Annexures P-4 to P-7, respectively, were sent. She though had obtained a *panchayati* divorce, however, relies on judgment in the case of **Amarjit Kaur vs. State of Punjab**, CWP-2218-2017, decided on 17.01.2020, wherein this Court after taking a holistic view of the object of the policy, declared Clause (c) of Note-I of Scheme for compassionate appointments-2002 as ultra vires of Articles 14 & 15 of the Constitution of India and struck it off, which was upheld by the Division



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Bench in LPA-462-2021, vide judgment dated 25.01.2023 and has attained finality up to Hon'ble the Supreme Court wherein SLP No. 9356-2023, challenging the same was dismissed on 18.10.2023. The afore-referred was also followed in **Jaspreet Kaur vs. State of Punjab**, CWP-24591-2021, decided on 24.07.2023. Pursuant thereto, vide Notification dated 29.01.2024, an amendment has been carried out in Note 1 (c) of para 3 of the said Scheme, wherein the phrase "unmarried daughter" has been substituted with the word "daughter". She, on instructions, prays for consideration of the matter in the light of the afore-judgments, in a time bound manner, to which learned State counsel has no objection.

2. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to consider the claim of the petitioner, taking into consideration the afore-judgments, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to her and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to her interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

27.03.2025

parveen kumar

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

(AMAN CHAUDHARY)
JUDGE