



CWP-12188-2022

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

273

CWP-12188-2022 (O & M)
Date of decision:07.01.2025

Veerpal Kaur

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Sehajbir Singh Aulakh, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The prayer in the present petition is for directing the respondents to grant compassionate appointment to the petitioner.
2. The petitioner, post the death of her mother Smt. Bhajan Kaur D/o Sh. Bachan Singh, Widow of Sh. Darbara Singh in the year 26.02.2021 who was working as a sweeper on regular basis in Government Senior Secondary School, Jand Sahib, Faridkot, applied for appointment on compassionate grounds, which was rejected only on account that she was a married daughter of the deceased. This Court in CWP-2218-2017, **Amarjit Kaur vs. State of Punjab**, decided on 17.01.2020, 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 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.



CWP-12188-2022

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”.

3. In view of the above, learned State counsel, being unable to dispute the above, on instructions submits that the respondents would not be averse to have a relook at the matter.

4. Without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide the claim of the petitioner, taking into account the afore-mentioned judgments and the amendment carried out, within a period of six 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.

07.01.2025
parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No