



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

335

CWP-2268-2002 (O & M)
Date of decision: 05.04.2025

Sahib Kumar

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Amarpeet Singh Bains, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents to appoint the petitioner on compassionate grounds against Class-III post, by shifting him from Class-IV, might not even be surviving due to efflux of time.

2. Learned State counsel refers to para 4 of the written statement by way of affidavit of the Deputy Commissioner, Amritsar, dated 04.09.2002, wherein it has been stated that the petitioner upon having submitted an application for appointment on compassionate grounds, appeared before the Committee and gave his willingness to accept Class-IV post in writing, Annexure R-1, and there is a specific denial of any assurance to him regarding Class-III post, upon which he joined on 22.11.2001, but subsequently submitted the application, as stated in para 7 thereof, a fact not rebutted by filing any replication.

Reliance is placed on judgment in **State of Rajasthan v. Umrao Singh, 1995(1) SCT 46**, wherein it has been held that once the right is consummated, any further or second consideration for higher post on the ground of compassion would not arise.

3. Dismissed.

05.04.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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