



CWP-14587-2020

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

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CWP-14587-2020 (O & M)
Date of decision: 03.04.2025

Mandeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Arshdeep Kaur, Advocate, for the petitioner.

Ms. Shruti, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Learned counsel submits that the mother of the petitioner, who was working as Lady Attendant in the office of respondent No.2, had unfortunately passed away in harness on 07.06.2014, whereafter the petitioner being nominee shown in the service record of her mother, served a legal notice upon the respondents for appointment on compassionate basis. Reference is made to para 1 of the Instructions dated 19.02.2002 and para 11 of the Instructions dated 21.11.2002, which read thus:

Para 1 of Instructions dated 19.02.2002:

“If the Government employee had nominated any of the dependent in GPF statement or any other service record, such nominated dependent should be considered for

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compassionate appointment after the death of the Government employee.”

Para 11 of the Instructions dated 21.11.2002:

“Where there is an earning member:

(a) In deserving cases even where there is already an earning member may be considered for compassionate appointment with prior approval of the Secretary of the Department concerned, who before approving such appointment will consult the Department of Personnel and satisfy himself that grant of compassionate appointment is justified having regard to number of dependents, assets and liabilities left by the Government servant income of the earning member as also his liabilities including the fact that the earning member is residing with the family of the Government servant and whether he should not be a source of support to other members of the family.

(b) In case where any member of the family of the deceased servant is already in employment and is not supporting the other members of the family of the Government servant, extreme caution has to be observed in “ascertaining the economic distress of the members of the family of the Government servant so that the facility of appointment on compassionate ground is not circumvented and misused by putting forward, the ground that the member of the family already employed is not supporting the family.”

2. The aforesaid facts having been brought out, during the course of hearing, learned State counsel, on instructions, states that the respondents shall consider and decide the claim of the petitioner, taking note of the aforesaid Instructions, within a period of 4 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner.

3. The aforesaid satisfies the learned counsel for the petitioner.

4. The matter stands disposed of accordingly and if the petitioner is found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same may be passed after

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granting opportunity of hearing to him and shall contain reasons, whereupon he shall be free to seek legal redress thereupon.

03.04.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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