

121-A

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP-2000-2022 (O&M)
Date of decision: 10.01.2023

Manjit Kaur

... Petitioner

Vs.

Vijay Kumar Janjua and anr.

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Arun Singla, Advocate for the petitioner.

Mr. Aayush Sarna, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioner alleges violation of the order dated 04.05.2016, vide which, while setting aside the order dated 14.08.2008, a direction was issued to pass a reasoned order.

The said order is upheld in the LPA vide order dated 07.12.2016 and thereafter, State filed SLP (c) No.18561/2017, wherein the following order was passed on 27.04.2022: -

“Though the questions are sought to be raised by the appellants, that the demise of the respective army personnels could not have been treated as “Battle Casualty” but looking to the fact that the appellants themselves considered the matters after passing of the order by the learned Single Judge; and indeed passed speaking

orders with the proposition of giving class IV posts to the respective respondents by way of compassionate appointment, we are not persuaded to consider interference in these matters under Article 136 of the Constitution of India. However, we deem it appropriate to leave the question of law open.

Accordingly, these petitions stand dismissed while leaving the question of law open. Needless to observe that the orders as passed by the High Court in relation to these matters shall remain case-specific and any other matter involving akin issues shall be dealt with on its own merits and in accordance with law.

All pending applications stand disposed of.”

Learned State counsel has filed affidavit of the Director, Defence Services Welfare, Punjab, in which the petitioner is offered appointment on the post of Peon (Group D) in the Department of Directorate of Defence Services Welfare, Punjab on compassionate ground.

In view of the above, no further cause for continuation of the present petition is made out and the same is rendered as infructuous.

Liberty is granted to the petitioner to challenge the aforesaid order before the appropriate Court, if so required.

[ARVIND SINGH SANGWAN]
JUDGE

10.01.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No