

(1991) 10 DEL CK 0042

In the Delhi High Court

Case No : Civil Writ Appeal No. 61 of 1991

Gianda Devi

APPELLANT

Vs

Union of India and Others

RESPONDENT

Date of Decision : 23-10-1991

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (1991) 1 BC 635 : (1992) 46 DLT 5

Hon'ble Judges : Sat Pal, J;G.C. Mittal, J

Bench : Division Bench

Advocate : Vipin Sanghi and Gulab Chandra, for the Appellant;

Judgement

Gokal Chand Mittal, J.

(1) Rule D.B.

(2) On a consideration of the matter we are of the view that the Writ petition has to succeed. The husband of the petitioner who was a book binder with Govt. of India Press died on 28th March, 1989 and under the rules, appointment of one of the heirs of the deceased on compassionate ground was sought for by the widow of the deceased and when she failed to persuade the department she approached this Court through this writ petition.

(3) The younger son of the deceased is a book binder and doing the same job which his father was doing and probably got training from Govt. of India Press. The petitioner claimed the service of younger son on the compassionate ground, which is covered by a judgment of the Supreme Court in Ca 7596/90 in Smt. Phoolwati v. Union of India decided on 5th December, 1990. The decided case relates to Govt. of India Press. Accordingly the Writ petition is allowed and the Govt. of India Press is directed to give employment to the petitioner's younger son within a period of fortnight from the receipt of this order.

(4) The son would continue to occupy the house along with the petitioner as

similar order was passed by the Supreme Court in such a case.