

(2011) 08 SHI CK 0190
In the High Court Of Himachal Pradesh
Case No : CWP No. 2980 of 2011

Harinder Singh

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 04-08-2011

Acts Referred:

Citation : (2011) 08 SHI CK 0190

Hon'ble Judges : Kurian Joseph, C.J;Rajiv Sharma, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The Writ Petition is filed with the following prayers:

(i) That writ in the nature of certiorari may kindly be issued and the impugned order dated 12.10.2010 (Annexure P-3), may kindly be quashed and set-aside.

(ii) That writ in the nature of mandamus may kindly be issued directing the Respondents to consider the case of the Petitioner for appointment on compassionate ground on the Class-IV post, which is available with the Respondent department.

2. It is the case of the Petitioner that the third Respondent has offered appointment on compassionate grounds and it is the case of a person, whose cause of action, namely death of the bread-winner, occurred subsequent to the date of death of the father of the Petitioner. If that be so, corrective steps are to be taken in the case of the Petitioner and subject to the eligibility, appointment has to be given on priority basis to the Petitioner taking the date of death of the bread-winner, as the basis. There will be a direction to the 2nd and 3rd Respondents to look into the matter and take appropriate action, adverting to the submissions made by the Petitioner in the writ petition and in light of the observations made, as above. This shall be done within a period of one month from the date of production of a copy of this judgment along with a copy of the writ petition by the Petitioner.

3. With the above observations, the writ petition is disposed of, so also the pending application(s), if any.