
(2025) 11 P&H CK 1972

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 6280 Of 2021 (O&M)

Lakhwinder Singh

APPELLANT

Vs

Municipal Corporation And Others

RESPONDENT

Date of Decision : 17-11-2025

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2025) 11 P&H CK 1972

Hon'ble Judges : Jagmohan Bansal, J

Bench : Single Bench

Advocate : Kumesh Dandyan, Ashish Rawal

Final Decision : Dismissed

Judgement

Jagmohan Bansal, J

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to issue him appointment letter on compassionate ground.

2. The petitioner's father Mr. Banta Ram was working with Municipal Corporation, Chandigarh who passed away on 10.04.2006 in harness. Petitioner's mother applied for Class IV post on compassionate ground. Her name was included in the list of applicants who had applied under Compassionate Appointment Policy. As per Policy, name of a candidate was kept in list for three years. On account of non-availability of vacancy, petitioner's mother's name came to be deleted on the expiry of three years. The petitioner at that point of time was minor. He became major in 2014. He applied for the post of Peon on compassionate ground. The respondent vide order dated 26.05.2020 rejected his application as per Instructions dated 26.11.2013 of Chandigarh Administration.

3. Learned counsel for the petitioner submits that petitioner's grievance would be redressed if his name is included in the 5% quota meant for dependants of deceased employees.

4. Per contra, Mr. Ashish Rawal, Advocate submits that petitioner is guilty of concealment of facts. His mother well within time applied for the post. Her name was included in the list, however, due to shortage of vacancies, she could not be selected. There is no provision to include name of second member of the family. The petitioner attained majority in 2014 whereas he applied for the post in 2019.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. From the perusal of record, it is evident that petitioner's mother applied for the post as soon as her husband passed away. Her name was included in the list, however, she could not be appointed due to lack of vacancy. The petitioner became major in 2014 and applied for the post in 2019. Firstly, there was no provision to entertain second application because it was not a case of withdrawal of application by petitioner's mother whereas her name came to be deleted on account of expiry of three years period. Secondly, the petitioner attained age of majority in 2014 whereas applied in 2019. This shows that family of the deceased was not in immediate need of job. They were not facing condition of penury. It cannot be held that there was need to tide over the situation arising on account of death of the family member.

7. In the wake of above discussion and findings, the instant petition deserves to be dismissed and accordingly dismissed.

8. Pending Misc. application(s), if any, shall stand disposed of.