
(2025) 12 P&H CK 1984
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 9922 Of 2019

Sushil Sharma

APPELLANT

Vs

Municipal Corporation Chandigarh And Others

RESPONDENT

Date of Decision : 24-12-2025

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2025) 12 P&H CK 1984

Hon'ble Judges : Jagmohan Bansal, J

Bench : Single Bench

Advocate : Sukhmanjot Kaur, Barjesh Mittal, Ashish Rawal

Final Decision : Disposed Of

Judgement

Jagmohan Bansal, J

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of orders dated 08.11.2018, 27.11.2018 and 15.02.2019 and direction to respondent to grant him compassionate appointment under Group C category.

2. On 12.04.2019, while issuing notice of motion, following order was passed:-

“ Learned counsel for the petitioner, inter-alia, contends that the impugned rejection of the claim of petitioner for appointment on compassionate grounds, vide letter dated 27.11.2008 (Annexure P-14), is ostensibly on the ground that current policy of compassionate appointment dated 16.01.2013 (Annexure P-13), does not permit appointment on compassionate grounds against Group 'D' posts.

Learned counsel contends that not only the rejection is in violation of compassionate policy, *ibid*, particularly Clause 7 (h) read with Clause 18 (b) and (e), which clearly envisage that compassionate appointment can be made in Group 'C', as well erstwhile Group 'D', subject to the applicant being otherwise eligible. He also contends that in any case, father of the petitioner died in

harness on 24.11.2008 and therefore, policy dated 16.01.2013 (Annexure P-13), cannot be applied retrospectively to the petitioner.

Notice of motion for 01.08.2019.”

3. Learned counsel for the respondent-Corporation on instructions submits that petitioner initially applied for Group D post. The respondent rejected his application for Group D. He passed graduation, thus, became eligible for Group C. He applied under Group C. The respondent considered his application and placed him at Serial No.1 in the seniority list of applicants. The petitioner would be considered as per his seniority list subject to availability of post.

4. Learned counsel for the petitioner expressed her inability to controvert abovesaid fact.

5. In the wake of statement of learned counsel for the respondent, this petition stands disposed of.