

**Chameli Devi Vs. State of Haryana and Others**

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**SooperKanoon Citation :** [sooperkanoon.com/1055813](http://sooperkanoon.com/1055813)

**Court :** Punjab and Haryana

**Decided On :** Apr-25-2013

**Appellant :** Chameli Devi

**Respondent :** State of Haryana and Others

**Judgement :**

Civil Writ Petition No.8603 o

1. IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH Civil Writ Petition No.8603 of 2013 Date of decision:

25. 04.2013 Chameli Devi Petitioner Versus State of Haryana & others .Respondents CORAM : HONBLE Mr.JUSTICE TEJINDER SINGH DHINDSA Present: Mr.Pankaj Mehta, Advocate, for the petitioner.

\*\*\* TEJINDER SINGH DHINDSA, J.(Oral).The petitioner has filed the instant writ petition praying for the issuance of a writ in the nature of Mandamus for directing the respondents to appoint her son to any post in the Haryana Irrigation Department on a compassionate basis on account of the death of her husband who had died in harness on 05.01.2011.

The undisputed facts are that the husband of the petitioner was serving as a Beldar under the Haryana Irrigation Department and he died on 05.01.2001.

Apparently, the petitioner had submitted applications/affidavits for considering her claim for grant of Ex-gratia Compassionate Assistance/employment on a compassionate basis for her son.

Even though, no specific order has been placed on record but counsel for the petitioner at the stage of arguments has conceded that a decision had been conveyed to her, in the year 2007 regarding grant of Rs.2.5 Lacs as Ex-gratia Civil Writ Petition No.8603 o

## 2. Compassionate Financial Assistance.

Counsel would further refer to an affidavit dated 30.03.2007 at Annexure P-8 whereby the petitioner in the capacity of the widow of late Sh.

Mange Ram had even accepted Rs.2.5 Lacs towards Ex-gratia Compassionate Financial Assistance.

Having accepted such financial assistance in the year 2007, the present writ petition has been filed raising a claim for appointment of her son on a compassionate basis.

Such claim is totally misconceived.

It is by not well settled that the objective of grant of compassionate appointment is only to mitigate the sudden financial crisis that has fallen upon the family on account of the death of the bread earner in harness.

By its very nature, compassionate appointment, if at all to be given to an eligible candidate has to be in close proximity on the date of death.

Even otherwise, compassionate appointment is an exception to the general rule of recruitment.

A claim and prayer seeking compassionate appointment raised in the year 2013 in relation to the death of an employee that occurred on 05.01.2001 cannot be entertained and that too in the light of fact that the petitioner had accepted the benefit of Ex-gratia Compassionate Financial Assistance of Rs.2.5 Lacs in the

year 2007.

No merit.

Dismissed.

April 25, 2013 (TEJINDER SINGH DHINDSA) harjeet JUDGE

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