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Court : Punjab and Haryana

Decided On : Jul-22-2013

Appellant : “ Now Coming to the Case of the Petitioner It Is a Matter of

Respondent : Unknown

Judgement :

CWP 1390.o

1. IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

CWP 1390.of 2013 Date of decision:

22. 7.2013 Ram Mehar .petitioner vs Md.HPGCL, Elect.

Bhawan, Sec 6, Pkl ..respondent Present Mr.Ravinder Hooda, Advocate.

M.M.S.BEDI,J.

The petitioner is aggrieved by order dated 27.4.2012 (annexure P-6) passed by the Chief Engineer rejecting the claim of the petitioner for compassionate appointment on the basis of the policy of the Govt.

dated 6.5.1985/ 7.4.1992 to give employment to one of the members of the family, whose land has been acquired for Thermal Plant, Panipat.

Pursuant to directions in COCP 236 of 2010 dated 23.1.2012 the claim of the petitioner was considered and rejected by passing the following order:- not coming to the case of the petitioner, it is a matter of record that Shri Ram Mehar applied for employment for himself on 13.7.1992.

The petitioner had not moved his application for providing employment in lieu of acquisition of land on or before 13.12.1991 i.e.cut off date.

In view of the fact that Shri Ram Mehar petitioner had not applied for providing employment on or before the cut off date 13.12.1991 and at this belated stage when the policy is no longer in vogue, the claim of the petitioner is not feasible of acceptance.

The petitioner having not filed any application before the CWP 1390.o

2. cut off date i.e.13.12.1991, his request for employment has been rejected having been filed at a belated stage.

Besides this, the petition deserves to be dismissed in view of the observations of this court in CWP 867.of 2013, which reads as follows:- In view of no enforceable statutory legal right available to the petitioner to invoke the provisions of Article 14 or 16 of the Constitution of India, I do not find any ground to interfere in the impugned order.

Besides this, this court is of the opinion that the appointment sought for is not a public appointment but was in the shape of additional bonus to the acquisition.

The writ petition is dismissed.

Since the petitioner does not have any enforceable legal right for employment as a Meter Reader or Daily Wager under any statutory rule and Article 14 or 16 of the Constitution of India having not been violated, no ground is made out for interference.

Dismissed.

July 22 ,2013 (M.M.S.BEDI) TSM JUDGE

