



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-10242-2026

Date of Decision : 07.04.2026

Harmeet Kaur

.....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. L.S. Sidhu, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant petition under Articles 226/227 of the Constitution of India, seeking issuance of a writ of certiorari for quashing the impugned order dated 20.01.2026 (Annexure P-16), whereby the claim of the petitioner seeking employment on compassionate ground has been rejected by the respondents. Further, seeking issuance of a writ of mandamus, directing the respondents to provide employment on compassionate ground on suitable post to the petitioner.

2. Learned counsel for the petitioner submits that the claim of the petitioner for grant of compassionate appointment has wrongly been rejected by the respondents, vide order dated 20.01.2026 (Annexure P-16), on the ground that married daughter is not eligible for compassionate appointment. He further submits that in the representation dated 17.08.2023 (Annexure P-15), the petitioner has given reference of the judgment passed by this Court in ***CWP-2218-2017 titled as 'Amarjit Kaur Vs. State of Punjab and another'*** decided



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on 17.01.2020 (Annexure P-12), wherein, while dealing with the similar issue, this Court has held that the married daughters are also entitled for compassionate appointment and the said judgment has been upheld in *LPA-462-2021 titled as 'State of Punjab and another Vs. Amarjit Kaur' decided on 25.01.2023* (Annexure P-13) and further upheld by the Hon'ble Supreme Court. He further submits that the said judgment has not been considered by the respondents while rejecting the claim of the petitioner. He further submits that in pursuance to the said judgments, the State Government, vide letter dated 29.01.2024, has amended the instructions for grant of compassionate appointment by amending provision in Note 1(c) of para 3 of the instructions, which reads as under :-

"Note 1 Dependent family members means :-

(c) Daughter (including adopted daughter) :- or

The remaining shall be read as such."

2(i) Learned counsel for the petitioner has further produced a copy of letter dated 31.01.2025 issued by the Government of Punjab, Department of Personnel which reads as under :-

"On the subject cited above in continuation to the Punjab Government letter No.11/105/98/4PP2/14420, dated 21.11.2002 and letter No.17/12/2023-4PP2(IPP2), dated 29.01.2024 issued by the Personnel Department, I am directed to say that the Administrative Department is requested to take each pending case on its individual merit, as there is a possibility that a single girl child even after being married is looking after the parents or there would have been some social/economic issues whereby this compassionate appointment is required to be given or

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considered. The Administrative Departments are advised to examine each case on its individual merit and decide the issue of compassionate appointment at their own level by taking all factors into consideration.”

2(ii) He further submits that even the abovesaid instructions have not been taken into consideration while rejecting the claim of the petitioner. He also submits that the action of the respondents is contemptuous as once the issue has been settled and attained finality, the respondents are bound to obey the same.

3. On receipt of advance copy of the petition, Mr. Satnampreet Singh Chauhan, D.A.G., Punjab has put in appearance on behalf of the respondents-State and on instructions from Mr. Gagandeep from the O/o Home Secretary, Punjab, submits that the impugned order dated 20.01.2026 (Annexure P-16) shall be treated as withdrawn and the respondents shall reconsider the claim of the petitioner for compassionate appointment in the light of the abovesaid judgments within a period of two months from today.

4. Disposed of in the above terms.

07.04.2026*Kothiyal***(NAMIT KUMAR)
JUDGE**

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No