

ITEM NO.5

COURT NO.14

SECTION IV-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 18561/2017

(Arising out of impugned final judgment and order dated 07-12-2016 in LPA No. 2366/2016 passed by the High Court Of Punjab & Haryana At Chandigarh)

STATE OF PUNJAB &amp; ORS.

Petitioner(s)

VERSUS

SMT. MANJIT KAUR

Respondent(s)

WITH

SLP(C) No. 18562/2017 (IV-B)

Date : 27-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Ajay Garg, Adv.  
Tripti Gola, Adv.  
Prashi Tyagi, Adv.  
Harjot Singh, Adv.  
Ms. Samten Doma, Adv.  
Mr. Sourabh Tandon, Adv.  
Ms. Ranjeeta Rohatgi, AOR

For Respondent(s) Mr. Arun Singla, Adv.  
Mr. P. D. Sharma, AOR

UPON hearing the counsel the Court made the following  
O R D E R

During the course of submissions in these petitions, learned counsel for the respondents (writ petitioners) has drawn our attention to the fact that after passing of the impugned orders by the learned Single Judge, for consideration of the case of the respective writ petitioners for compassionate appointment by way of speaking order, the Directorate of Defence Services Welfare Punjab,

indeed considered the matters and passed speaking orders, being the orders dated 22.07.2016 in the case of the respondent- Smt. Manjit Kaur and dated 01.08.2016 in the case of the respondent- Sh. Jaswant Singh, the dependents of the respective army personnel who met with their untimely death.

Though the questions are sought to be raised by the appellants, that the demise of the respective army personnels could not have been treated as "Battle Casualty" but, looking to the fact that the appellants themselves considered the matters after passing of the order by the learned Single Judge; and indeed passed speaking orders with the proposition of giving class IV posts to the respective respondents by way of compassionate appointment, we are not persuaded to consider interference in these matters under Article 136 of the Constitution of India. However, we deem it appropriate to leave the question of law open.

Accordingly, these petitions stand dismissed while leaving the question of law open. Needless to observe that the orders as passed by the High Court in relation to these matters shall remain case-specific and any other matter involving akin issues shall be dealt with on its own merits and in accordance with law.

All pending applications stand disposed of.

(SHRADDHA MISHRA)  
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)  
COURT MASTER (NSH)