

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.2174 of 2023

Decided on: 28th November, 2025

Vikram Singh

.....**Petitioner**

Versus

State of H.P. and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Ankit Dhiman, Advocate.

For the Respondents: Mr. Rajat Choudhry, Assistant
Advocate General, for respondent No.1.

Mr. Sourabh Chand, Advocate vice
Ms. Vandana Misra, Advocate, for
respondents No.2 and 3.

Jyotsna Rewal Dua, Judge

On 06.09.2022, the respondents rejected
compassionate employment application moved by the
petitioner on the ground that the same did not meet the
indigency criteria prescribed in the office memorandum
dated 01.11.2019. Feeling aggrieved, the petitioner has
instituted this writ petition.

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.

2.**Heard** learned counsel for the parties and considered the case file.

3.Petitioner's father-Sh. Dharam Chand was serving as Beldar in respondent No.2-University. He died while in service on 24.12.2016. Sh. Dharam Chand was survived by three family members, i.e. his wife and two sons including the present petitioner. Petitioner moved an application during May, 2019 seeking employment assistance.

The respondents considered the case of the petitioner in terms of the policy circulated under office memorandum dated 07.03.2019. As per the applicable policy, maximum ceiling of total family income to assess indigency was fixed at Rs.2,50,000/- presuming a family of 04 persons. In case the family members were less than 04, then the maximum ceiling of family income was to be calculated by multiplying Rs.62,500/- by the number of family members, which in the instant case, would be Rs.62,500 X 3= Rs.1,87,500/- per annum. The annual income of the family of late Sh. Dharam Chand on the date the petitioner submitted his application form seeking compassionate employment was Rs.2,21,968/-. This income was inclusive of family pension received by the

petitioner. Accordingly, respondents rejected petitioner's application as it did not meet the indigency criteria.

4. Consideration:-

It is well settled that family pension received by deceased's family has to be factored while considering the family income. [Ref.: ***State of Himachal Pradesh and another Versus Shashi Kumar***²]. Petitioner has not disputed computation of his family income and the fact that it was beyond the maximum prescribed ceiling limit of family income. Given this, respondents cannot be faulted for rejecting petitioner's case for employment on compassionate grounds. At this stage, learned counsel for the petitioner submitted that respondent-State has enhanced the maximum ceiling limit of family income to Rs.3 Lakhs. In this regard, a press release dated 06.08.2025 was placed on record during hearing of the case. Firstly, it would be in place to notice that document refers to amendments to be made to the Compassionate Appointment Policy for enhancing the family income limit. There is no document on record to show that such amendments have actually been carried out & made effective from retrospective date and would cover the case of

² (2019) 3 SCC 653

the petitioner, which stood rejected on 06.09.2022. Secondly, the compassionate appointment cases are required to be considered on the basis of policy prevailing at the relevant time. Admittedly, petitioner's case does not meet the prescribed indigency criteria prevailing at the time of death of his father or at the time of consideration of his application.

Since the income of petitioner's family exceeded the maximum prescribed limit, therefore, the respondents have justly rejected his compassionate employment case.

No other point was urged.

5. In view of above, no case for interference with the impugned rejection order is made out. This writ petition, therefore, lacks merit and is accordingly dismissed alongwith pending miscellaneous application(s), if any.

November 28, 2025
Mukesh

Jyotsna Rewal Dua
Judge