



**IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA**

**CWP No. 4914 of 2026
Decided on : 23.04.2026**

Ramanand

...Petitioner

Versus

State of Himachal Pradesh and others

...Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

Whether approved for reporting?¹ Yes

For the petitioner : Mr. Ashish Verma, Advocate.

**For the respondents : Mr. Pushpinder Jaswal, Additional
Advocate General, for respondents
No.1 & 2.**

**Mr. Virender, Advocate, vice Mr.
Mukul Sood, Advocate, for
respondents No.3 to 5.**

Ajay Mohan Goel, Judge (Oral)

Notice. Mr. Pushpinder Jaswal, learned Additional Advocate General and Mr. Virender, learned counsel, accept notice on behalf of respondents No.1 & 2 and respondents No.3 to 5, respectively.

2. By way of this petition, the petitioner has assailed

¹Whether reporters of the local papers may be allowed to see the judgment?



order dated 23.05.2022 (Annexure P-4), in terms whereof, his case for compassionate appointment stands rejected. The impugned order reads as under:-

"MUNICIPAL CORPORATION SHIMLA

No.MCS/Comm/EA/203/Govt./2022-1310 Dated: 23/5/22

From

*Commissioner,
Municipal Corporation,
Shimla.*

To

*Sh. Rama Nand,
S/o Late Sh. Chet Ram,
Village Chammo, Post Office Bhont,
Tehsil & District Shimla-171003.
Mobile No. 9805922965.*

***Subject: Regarding providing of employment
assistance on compassionate grounds.***

It is to inform you that your case for providing employment assistance on compassionate grounds for the post of Peon was placed before the Committee at the Govt. level, but the same was not found in consonance with the policy notified by the Government for providing compassionate employment for the reason that it does not fall within the income criteria as laid down in the policy.

In view of above, your request for providing



employment assistance on compassionate grounds is hereby rejected.”

3. Having perused the impugned order and having heard learned counsel for the parties, this Court is of the considered view that the impugned order is liable to be set aside on one short count and the same is that the impugned order is a non-speaking order.

4. Simple mention in the order that the case of the petitioner does not fall within the income criteria as laid down in the Policy, does not suffice the purpose. The Authority is duty bound to at least pass a speaking order and mention therein that how in terms of the Policy for Compassionate Appointment, the petitioner is not entitled for appointment on compassionate basis. The Court is not even remotely suggesting that the case of the petitioner on merit, has been wrongly dismissed by the Authority. What the Court is suggesting is that in case the Authority had come to the conclusion that the petitioner was not entitled for compassionate appointment, as he was not fulfilling the eligibility criteria, then the order should have been self speaking and self explanatory as to how the petitioner was not



fulfilling the income criteria, as laid down in the Policy. This is lacking in the impugned order. The conclusion is not supported by reasoning.

5. In view of the above discussion, the petition is allowed. Order dated 23.05.2022 (Annexure P-4) is quashed and set aside. Respondents are directed to pass a speaking order afresh on the request of the petitioner for appointment on compassionate basis. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

April 23, 2026
(Shivank Thakur)