

Mahesh vs. State of H.P. & Ors.

CWP No. 10573 of 2026.

08.07.2026 Present: Mr. Sandeep K. Pandey, Advocate, for the petitioner.

Mr. Pushpender Jaswal, Additional Advocate General, for the respondents-State.

Today, learned Additional Advocate General has handedover to the Court instructions received from the office of Executive Engineer, HPPWD Div. Chopal, which read as under:-

"I have the honour to refer to subject cited matter and the directions passed by the Hon'ble High Court on 06.07.2026. In this regard, it is informed that after the death of the deceased employee, there were three minor children and the widow of deceased in the family. The widow of deceased did not apply for employment assistance within three years from the date of death of her husband. She also did not exercise the right from her minor children by applying/requesting the department that she was not willing to claim appointment on compassionate ground and would like to reserve the right for her children on attaining the majority. Since, the option was not exercised within three years as provided under the prevailing policy, therefore the right is closed and cannot be claimed in hereditary. The LR's claims at this stage cannot be entertained in contradiction of policy. The petitioner was intimated about rejection of the claim."

This court is not satisfied with the stand of the respondents as this Court is of the considered view that as the petitioner had applied within three years from the date when he had attained the age of

majority and as it is not disputed that the mother of the petitioner had never applied for compassionate appointment, the case of the petitioner ought to have been decided on merits.

Faced with this situation, learned Additional Advocate General seeks time to take up the matter with the higher authorities, as the instructions stand imparted by the Executive Engineer. As prayed for, a week's time is granted to the learned Additional Advocate General to have fresh instructions in the matter.

List on 16th July, 2026.

(Ajay Mohan Goel)
Judge

8th July, 2026.
(Jai)