

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT JAMMU**

Case:- WP(C) No. 1273/2026

Surinder Kumar

.....Petitioner

Through: Mr. Vivek Sharma, Advocate

**Vs**

Union of India & Ors.

.....Respondent(s)

Through:

**Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE**

**ORDER**  
**(08.05.2026)**

1. The petitioner's father- Sanaku Ram died in harness as a Sepoy/Cook on **06.11.1999** when the petitioner, born on **07.06.1990**, was a minor and dependent upon him.
2. Upon attaining age of **22 years**, the petitioner had applied for compassionate appointment by virtue of an application dated **21.02.2012** which came to be declined by an order dated **27.12.2012** whereupon it took the petitioner more than **2+ years** to come up with a writ petition-**SWP No. 3232/2015** challenging the rejection of his claim for compassionate appointment.
3. Said writ petition came to be disposed of by this Court after a pendency of almost **3+ years** in terms of an order dated **06.02.2019** by setting aside the rejection order dated **27.12.2012** with a direction to the writ respondents to consider the case of the petitioner for compassionate appointment in accordance with Regulations of 1998 found to be applicable to the case of the

petitioner and needful order was to be passed within a period of three months.

4. It took the petitioner more than **2 years** again to come up with contempt petition- **CCP(S) No. 110/2021** complaining that the needful exercise at the end of the writ respondents, as envisaged in terms of an order dated **06.02.2019**, has not been done.

5. This contempt petition remained pending on the docket of this Court for another **4 years** when, by virtue of an order dated **11.11.2025**, this Court came to close the contempt petition purportedly on the position that the compliance as envisaged in terms of order dated **06.02.2019** passed in **SWP No. 3232/2015** has been carried out in terms of an order dated **30.11.2022**.

6. It has now taken the petitioner more than **4 years** to come up with present writ petition filed on **23.04.2026** questioning the order dated **30.11.2022** whereby his claim for compassionate appointment was rejected. सत्यमेव जयते

7. If this Court is to create a timeline in the context of the grievance of the petitioner, then the compassionate appointment of the petitioner is meant to relate back to the time when the petitioner had come to attain the age of majority which was in the **year 2008**. If the petitioner has survived and sailed through all along till 2026, then very basis of compassionate appointment in the context of the petitioner gets a miss.

8. It is not pleaded by the petitioner that whether his mother had pre-deceased his father or was she alive. The petitioner has also not pleaded whether he was a sole child or was survived by other

brothers and sisters who at the relevant point of time on account of their age of majority, might have been entitled to apply for the compassionate appointment within time or were employed to take care of family in distress time.

9. In the light of the aforesaid, this Court is of considered view that the petitioner has missed the bus as the writ petition is afflicted with delay and laches and, therefore, cannot claim an entry in the docket system of this Court except for the purpose of clogging the pendency baggage of matters in this Court.

10. As such, writ petition is **dismissed** at its very inception stage.

JAMMU  
08.05.2026  
Sneha

