



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 2985 OF 2022 (S-RES)

BETWEEN:

SRI NAVEED PASHA
S/O LATE SYED BADRUDDIN,
AGED ABOUT 43 YEARS,
R/AT NO 103, 4TH CROSS,
KHUTUB SHAHINSHA NAGAR,
KOLAR 563101

...PETITIONER

(BY SRI. NARASIMHA MURTHY G V.,ADVOCATE)

AND:

Digitally
signed by
KIRAN
KUMAR R
Location:
HIGH COURT
OF
KARNATAKA

1. THE CHAIRMAN AND MANAGING DIRECTOR
KARNATAKA POWER TRANSMISSION
CORPORATION LIMITED
KAVERI BHAVAN,
BENGALURU 560001
2. THE CHIEF ENGINEER (GENERAL)
KARNATAKA ELECTRICITY BOARD,
KAVERI BHAVAN,
BENGALURU 560001
3. THE SUPERINTENDING ENGINEER (EL)
C O AND M DIVISION,
BANGALORE ELECTRICITY SUPPLY COMPANY LTD,
KOLAR 563101



4. THE EXECUTIVE ENGINEER (EL)
C.O AND M DIVISION,
KOLAR - 563101

...RESPONDENTS

(BY SRI. SANJEEV B L., ADVOCATE FOR R1 TO R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ENDORSEMENT ISSUED BY THE 3RD RESPONDENT DATED 30.07.2021 AT ANNEXURE-G. DIRECT THE RESPONDENT DEPARTMENT TO CONSIDER THE APPLICATION OF THE PETITIONER DATED 14.06.1995 AT ANNEXURE-A1 TO A3 TO APPOINT THE PETITIONER ON COMPENSATE GROUNDS AS PROVIDED UNDER LAW.

THIS PETITION, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

The petitioner filed this writ petition seeking the following reliefs:

- "(i) *Issue Writ in Nature of Certiorary to quashing the Endorsement issued by the 3rd respondent dated 30/07/2021 in SE(E)ULN/L/SL/S-2 2021-22/2315 at ANNEXURE- G.*
- (ii) *To direct the respondent department to consider the application of the petitioner dated. 14/06/1995 at Annexure-A1 to A3 to appoint the petitioner on compensate grounds as provided under law.*



(iii) To grant such other and further relief so as to cost of the proceeding as this Hon'ble court deems fit in the circumstances of the case in the interest of justice and equity."

2. Brief facts leading rise to the filing of this petition are as follows:

2.1. The case of the petitioner is that the petitioner's father by name Late Syed Badruddin was appointed as a Line Mech Gr-2 in CH No.1275. He was working under the respondents till his demise. He passed away on 15.08.1984. The petitioner was a minor as of the date of death of his father and his mother was illiterate. After attaining majority, the petitioner submitted an application for the respondents for appointment in the Department on compassionate ground due to death of his father. The said application was rejected by issuing endorsement dated 30.07.2021 vide Annexure-G on the ground that the application was filed at a belated stage. The petitioner, aggrieved by the said endorsement, filed this writ petition.



3. The respondents, despite granting sufficient opportunity, have not filed a statement of objections.

4. Heard the arguments of the learned counsel for the petitioner and learned counsel for the respondents.

5. Learned counsel for the petitioner submits that, the father of the petitioner passed away leaving behind the petitioner and his mother. As of the date of death of his father, he was a minor. On attaining majority, he submitted an application for appointment on compassionate ground. The respondents rejected the request on the ground of delay and laches by issuing the impugned endorsement dated 30.07.2021 vide Annexure-G. He submits that, immediately after the death of the petitioner's father, he was not eligible for the said post as he was a minor. The family of the petitioner is in a financial distress and the petitioner is entitled for appointment on compassionate ground. He submits that, the impugned endorsement issued by the respondents is



arbitrary and erroneous. Hence, on these grounds, he prays to allow the writ petition.

6. *Per contra*, learned counsel for the respondents submits that, the petitioner has submitted an application for appointment on compassionate ground after one year of attaining majority. He submits that, there is a delay of more than fourteen years in filing the application after the death of the petitioner's father. He submits that, the respondents have rightly issued an endorsement rejecting the application filed by the petitioner on the ground of delay. Hence, on these grounds, he prays to dismiss the writ petition.

7. Perused the records and considered the submissions of the learned counsel for the parties.

8. It is an undisputed fact that the father of the petitioner was working in the respondents-Establishment. While he was in service, he passed away leaving behind the petitioner and the petitioner's mother as his legal



heirs. As of the date of death of his father, the petitioner was a minor. He submitted an application for appointment on compassionate ground after attaining majority. The respondents issued an endorsement dated 30.07.2021 vide Annexure-G stating that the petitioner is ineligible for appointment to any post on compassionate ground as there is a delay of more than fourteen years.

9. It is settled law that, appointment on compassionate ground cannot be claimed as a matter of right. The claim of the petitioner for appointment on compassionate ground is highly belated and it is made several years after the employee's death. The Hon'ble Apex Court in the case of ***Fertilizers and Chemicals Travancore Ltd. and Others Vs. Anusree K.B.***¹ has held that, the compassionate appointment cannot be claimed several years after the employee's death, as its object is to help the family to meet the sudden crisis. The Hon'ble Apex Court in the case of ***National Hydroelectric***

¹ 2022 SCC OnLine SC 1331



Power Corporation and Another Vs. Nanak Chand and Another² has held that, highly belated claim for compassionate appointment would not be maintainable. There is an inordinate delay in seeking for appointment on compassionate ground. Further, the Hon'ble Apex Court in the case of ***Central Coalfields Limited through its Chairman and Managing Director and Others Vs. Parden Oraon***³ has, in paragraph No.9, held as follows:

"9. As the object of compassionate appointment is for providing immediate succour to the family of a deceased employee, the respondent's son is not entitled for compassionate appointment after the passage of a long period of time since his father has gone missing."

10. Considering the propositions of law laid down by the Hon'ble Apex Court in the cases referred above and as there is a delay in filing the application, the respondents have rightly issued the impugned endorsement rejecting the claim of the petitioner for

² (2004) 12 SCC 487

³ (2021) 16 SCC 384



appointment on compassionate ground. Hence, I do not find any error in the impugned endorsement.

11. In view of the above discussion, I proceed to pass the following:

ORDER

- i. The petition is ***dismissed***;
- ii. Pending IA(s), if any, shall stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

PA
List No.: 1 Sl No.: 34