



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 1227 of 2026

17 June, 2026

Surya Kant

--Petitioner

Versus

State Of Uttarakhand and Others

--Respondents

Presence:-

Mr. Sahil Mullick, learned counsel for petitioner, through V.C.

Mr. K.N. Joshi, learned D.A.G. for the State of Uttarakhand/respondent No.1.

Mr. Shibhit Joshi, learned counsel holding brief of Mr. Ashish Joshi, learned counsel for respondent Nos.2 to 4-Corporation.

Hon'ble Pankaj Purohit, J. (Oral)

This writ petition has been filed by petitioner challenging the order dated 07.12.2015 passed by respondent No.4, whereby, claim of petitioner for compassionate appointment was rejected.

2. It is contended by learned counsel for petitioner that father of petitioner was working with the respondent-Corporation as Driver; the services of his father were abruptly terminated vide order dated 07.08.1997 due to alleged unauthorized absence from duty w.e.f.16.01.1996 to 07.04.1996.

3. Petitioner's father raised industrial dispute and the matter was referred by the State Government to the Labour Court and an adjudication case No.38 of 2001 *Ajay Singh Vs. Chairman, U.P.S.R.T.C. and Others*, was filed before the Labour Court, Dehradun.



The Labour Court found the punishment of dismissal to be excessive and disproportionate to the alleged misconduct and consequently, vide judgment and award dated 06.04.2002, the father of petitioner was directed to be reinstated with full back wages.

4. Respondent-Corporation filed a writ petition being WPMS No.600 of 2002 *U.P.S.R.T.C. and Others Vs. Presiding Officer, Labour Court Dehradun and Another*, challenging the judgment and award dated 06.04.2002. The said writ petition was partly allowed vide judgment and order dated 14.12.2011 by Coordinate Bench of this Court and the judgment and award passed by Labour Court was modified to the extent that workman would not be entitled to back wages for period in-question. Thus order attained finality. Unfortunately, petitioner's father died on 13.07.2003.

5. It appears from perusal of the record that petitioner filed application for compassionate appointment in place of his deceased father in the year 2013, whereupon, petitioner was directed to produce certain documents, vide order dated 19.09.2013 passed by Regional Manager (Operation), Dehradun. Petitioner submitted those documents, but the application for compassionate appointment moved by petitioner was rejected vide order dated 01.12.2015, which was communicated to petitioner on 07.12.2015.

6. Petitioner has challenged the said order after an inordinate delay of about more than 10 years.



The father of petitioner died in the year 2003 and the application for compassionate appointment was rejected in the year 2015. It is a stated matter, and therefore, the same could not be entertained by this Court. It is enunciated by the Hon'ble Apex Court and also this Court in various judicial pronouncements that the compassionate appointment is not a mode of appointment rather it is an appointment given to the family member of deceased government employee/corporation employee, who died in harness, only for the purpose of tiding over the financial difficulty and misfortune be fallen upon the family. In the case in hand, petitioner's father died in the year 2003 and the application for compassionate appointment was made by petitioner in the year 2013, which came to be rejected in the year 2015, therefore, this writ petition cannot be entertained due to unexplained latches.

7. Accordingly, the writ petition fails and is accordingly dismissed *in-limine*.

(Pankaj Purohit, J.)

17.06.2026

PN