

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 307 of 2015

1. Devendra Kumar Kanwar S/o Late Faguram Aged About 19 years R/o Purani Basti, P.S. & Tahsil-Khariya, Civil & Revenue District - Raigarh C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Agriculture Mahanadi Bhawan New Raipur, District Raipur C.G.
2. Divisional Joint Director Agriculture Department Bilaspur Division Bilaspur C.G.
3. Deputy Director Agriculture Raigarh, District - Raigarh C.G.
4. Sub Divisional Agriculture Officer Jashpur Nagar District Jashpur C.G.

---- Respondent

For Petitioner	Shri F.S. Khare, Advocate
For Respondent/State	Shri Bhaskar Payasi, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/07/2015

Heard learned counsel for the parties.

1. Petitioner is challenging Annexure – P/5 whereby his prayer for grant of compassionate appointment has been rejected on the ground that the same has been preferred after the prescribed period of three years.
2. Petitioner's father died in harness on 24-11-2002. At that time the petitioner was minor. Date of birth of the petitioner is 5-2-1995. After attaining the age of majority, the petitioner moved an application for grant of compassionate appointment on 3-7-2014 which has been

dismissed by the Divisional Joint Director (Agriculture), Bilaspur Division, Bilaspur, by order dated 17-11-2014.

3. Be that as it may, it is the well settled proposition of law that the grant of compassionate appointment after long time or after attaining the age of majority is not permissible. (See: **Union of India and others v. Bhagwan Singh¹**, **Jagdish Prasad v. State of Bihar and another²**, **Haryana State Electricity Board v. Naresh Tanwar and another³**, **Haryana State Electricity Board and another v. Hakim Singh⁴**, **National Hydroelectric Power Corporation and another v. Nanak Chand and another⁵** and **State of U.P. and others v. Ram Sukhi Devi⁶**).
4. In the case at hand, at the time of death of his father, the petitioner was aged about 7 years. He attained the age of majority only in February, 2013, however, at that time, 11 years had already elapsed from the date of death of his father, therefore, the application could not have been considered.
5. In the result, the writ petition fails and is hereby dismissed. No order as to costs.

Sd/-

Judge

Prashant Kumar Mishra

Gowri

1 (1995) 6 SCC 476

2 (1996) 1 SCC 301

3 (1996) 8 SCC 23

4 (1997) 8 SCC 85

5 (2004) 12 SCC 487

6 (2005) 9 SCC 733