

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1846 of 2015**

- Vinod Kumar Vishwakarma S/o Shri Bachchu Vishwakarma Aged About 40 years R/o Devkar Tahsil Devkar Civil & Revenue District Durg Chhattisgarh

---- Petitioner**Versus**

- Director General Of Police And Ors. S/o C.R.P.F. C.G. & Controlled New Delhi, Police Department Delhi
- Office Of The Commandant 24 Battalion, C.R.P.F. Yabi Niwas, Near Jawar Tunnel, C/o 56 A.D.O. Jammu Tav, Tahsil Post District Jammu
- Govt. Of India Through Secretary Ministry Of Department At Po/ District Delhi

---- Respondent

{Note: cause title has been reproduced as is available in the CIS Software}

For Petitioner : Shri B.D. Badgaiyya, Advocate.
 For Respondents : Shri R.K. Gupta, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****12/08/2015**

1. The petitioner's prayer for grant of compassionate appointment has been rejected by the respondents on the ground that under the DOPT OM No.14014/02/2012-Estt(D) dated 30.5.2013, a married person is not entitled for compassionate appointment. In a separate communication, it is also informed to the petitioner that for employment in CRPF, the

maximum age limit is 25 years with 5 years relaxation to SC/ST candidates and 3 years relaxation to OBC candidates, therefore, since the petitioner is aged 38 years, he is not eligible for employment.

2. Apart from the above, the petitioner's father died in the year 1991. This writ petition has been preferred in 2015 on the basis of orders passed in January, 2015, however, the order would reveal that the petitioner made application for compassionate appointment in August, 2014 and thereafter. Thus, the application itself was preferred after 23 years of death.
3. At this stage, learned counsel for the petitioner would submit that for the first time the petitioner moved the application in the year 2001. Even if it be treated that his first application was made in 2001, the same was also preferred after 10 years of death of the deceased Government servant.
4. The Supreme Court in the matters of **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**

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

Devi⁶ has held that the grant of compassionate appointment after long time or after attaining the age of majority is not permissible.

5. Even otherwise, the petitioner being aged about 38 years and also a married person, was not eligible for appointment in the CRPF.
6. For the abovestated reasons, the writ petition being devoid of any substance deserves to be and is hereby dismissed.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve

6 (2005) 9 SCC 733