

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 2996 of 2015**

- Lalit Kumar Sen S/o. Late Shri Ramnath Sen Aged About 39 Years R/o. Village And Post Barnawapara, P. S. Kasdol, Tahsil Kasdol, Civil And Revenue District Baloda Bazar- Bhatapara (Chhattisgarh)

**---- Petitioner****Versus**

1. State of Chhattisgarh Through The Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Chief Conservator of Forest, Raipur, District Raipur (Chhattisgarh)
3. Divisional Forest Officer, General Forest Division, Mahasamund, District Mahasamund (Chhattisgarh)

**---- Respondents**


---

|                      |   |                                      |
|----------------------|---|--------------------------------------|
| For Petitioner       | : | Shri Sumit Shrivastava, Advocate     |
| For Respondent-State | : | Shri YS Thakur, Dy. AG for the State |

---

**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****18/08/2015**

1. Petitioner has been appointed on the post of Peon on compassionate ground vide order dated 5-2-2014 issued by the DFO (General), Mahasamund. The said appointment has been made on account of death of petitioner's father on 21-3-2008. Petitioner is claiming regular appointment on the said post from the date he was engaged as daily wager.
2. Learned counsel for the petitioner has not brought to the notice of this Court any statutory provision or any executive instructions of the Government wherein it is provided that compassionate appointment shall be granted to

the dependent of a deceased government servant on and from the date of the death of the government servant or that even if the regular appointment is granted at a later point of time, the same would be effective from the date of death of the deceased government servant.

3. In the considered opinion of this Court, a regular appointment from retrospective effect to a compassionate appointee is not permissible in law.
4. There is no substance in the writ petition, it fails and is hereby dismissed.

Sd/-

Judge

Prashant Kumar Mishra

ashu