

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3114 of 2015**

- Laxmi Prasad Kashyap S/o Late Ramlakhan Kashyap, Aged About 33 Years
R/o Village Birra, Police Station & Tahsil Champa, Civil & Revenue District
Janjgir- Champa, (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department of Electricity,
Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
2. Managing Director, Chhattisgarh State Power Electricity Distribution
Company Limited, Raipur, (Chhattisgarh)
3. Chief Engineer (C & M) Chhattisgarh State Power Electricity Distribution
Company Limited, Raipur, (Chhattisgarh)
4. Chief Engineer (Bilaspur Circle), Chhattisgarh State Power Electricity
Distribution Company Limited, Bilaspur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri KPS Gandhi, Advocate
For Respondents-State	:	Shri Sangharsh Pandey, Dy. GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****26/08/2015**

1. Petitioner is the grandson of late Dayadan, who died in harness on
29-9-1987 while working as lineman under the services of erstwhile Madhya
Pradesh Electricity Board (for short 'the MPEB').
2. Placing reliance on the order passed by this Court in the matter of ***Amit Rao***
Vs. Chhattisgarh State Power Distribution Company Ltd. and others¹ and

other connected matters and **Raja Ram Kosle Vs. Chhattisgarh State Power Distribution Company Limited & others**² and other connected matters, learned counsel would submit that petitioner's case also deserves consideration on the basis of circular issued by the erstwhile MPEB on 30-1-1997.

3. True it is that in those cases, this Court has directed consideration of cases of several dependents of deceased employees of the erstwhile MPEB, however, in the case at hand, petitioner's grandfather died more than ten years back from the date of issuance of the circular. About 28 years have elapsed after death of his grandfather. The object of the provision for grant of compassionate appointment is to assist the dependents of the deceased employee to tide over the sudden financial crisis on account of death of the bread winner. Compassionate appointment is not a source of recruitment.
4. 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 Singh**³, **Jagdish Prasad v. State of Bihar and another**⁴, **Haryana State Electricity Board v. Naresh Tanwar and another**⁵, **Haryana State Electricity Board and another v. Hakim Singh**⁶, **National Hydroelectric Power Corporation and another v. Nanak Chand and another**⁷ and **State of U.P. and others v. Ram Sukhi Devi**⁸).

2WP (S) No.360/2015

3 (1995) 6 SCC 476

4 (1996) 1 SCC 301

5 (1996) 8 SCC 23

6 (1997) 8 SCC 85

7 (2004) 12 SCC 487

8 (2005) 9 SCC 733

5. In view of the above, this Court is not inclined to entertain this writ petition. It is accordingly dismissed.

Sd/-

Judge
Prashant Kumar Mishra

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