

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP No. 3680 of 2004**

- Sunil Kumar Dubey S/o late S.S. Dubey, aged about 35 years occupation Shiksha Karmi Class-III, R/o Sarangpur Kala, District Kawardha (CG).

---- Petitioner**Versus**

1. The State of Chhattisgarh through the Secretary Department of School Education, DKS Bhawan, Raipur (CG).
2. State of Chhattisgarh through the Secretary Department of Panchayat and Gramin Vikas Vibhag, DKS Bhawan, Raipur (CG).
3. Collector, Kawardha.
4. District Education Officer, Kawardha (CG).
5. Chief Executive Officer, Janpad Panchayat Bodla District Kawardha.

---- Respondents

For Petitioner	Smt. Indira Tripathi, Advocate.
For Respondent/State	Shri Satish Gupta, Govt. Advocate.
For Respondent No.5	Shri Sumit Verma, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12/02/2016**

1. Present is a petition where the petitioner had been granted compassionate appointment on the post of Shiksha Karmi on 07.06.1999 and the subsequently in the year 2004 he has filed this petition seeking for a relief that his case should have been considered for compassionate appointment on regular post of Assistant Teacher.
2. Law with regard to compassionate appointment is now well settled by a series

of judgments of this court wherein it has been held that grant of compassionate appointment cannot be considered as an alternative source of employment. The whole object of compassionate appointment schemes is to give succor to the family to tide over the sudden financial crunch befallen the dependents on account of the untimely demise of its sole bread earner.

3. In the instant case, from the record it is evidently clear that immediately after the death of the deceased employee, the petitioner was granted compassionate appointment on the post of Shiksha Karmi and which he had accepted without any objection. It is after five years time he has filed this petition seeking for a relief of compassionate appointment on the regular post of Assistant Teacher. Such a claim is beyond the object and intention of granting compassionate appointment. Even otherwise, in the year 1999 the petitioner accepted his compassionate appointment on the post of Shiksha Karmi without any objection at first instance. Now after a period of about five years of getting compassionate appointment on the post of Shiksha Karmi, he cannot be permitted to seek appointment on a different post.
4. The object of compassionate appointment gets achieved the moment the petitioner has been provided with appointment on the post of Shiksha Karmi. Now after a substantial period of time he cannot be permitted to seek a change in cadre of appointment.
5. For the reasons mentioned hereinabove, the petition fails and is accordingly dismissed. No order as to costs.

Sd/-
(P.Sam Koshy)
JUDGE