

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2127 of 2016

T.Mutthuraja S/o Late Shri Thirugnanam, Aged About 28 Years R/o Village Noothalakarai, Post Boothalapuram, District Thoothukudi, Tamil Nadu (India)

---- Petitioner

Versus

1. The Managing Director, Chhattisgarh State Power Distribution Company Limited (C S P D C L), Head Office Danganiya, D. D. Nagar, Raipur, District Raipur (Chhattisgarh)
2. Executive Engineer (S/ S) Division, Chhattisgarh State Power Distribution Company Limited (C S P D C L), Head Office Danganiya, D. D. Nagar, Raipur, District Raipur (Chhattisgarh)

---- Respondents

Shri Vinay Pandey, counsel for the petitioner/s.
Shri K.R.Nair, counsel for respondents on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/06/2016

Heard on admission.

By this petition, the petitioner has sought for issuance of direction to respondents to consider petitioner's case for grant of compassionate appointment.

2. Facts of the case on the face of the petition are that the father of the petitioner was working as Attender Grade - II in the office of the Executive Engineer, (O & M) Division, Nawapara, Raipur and while in service, died in an accident on 12/03/1993.

3. It is the case of the petitioner that according to the then existing policy of compassionate appointment, one member of the family of deceased employee was entitled to compassionate appointment. But that benefit was not extended and the petitioner and his family remained illegally deprived of the benefit of compassionate appointment. It is submitted that repeated representations were

made and certain informations were also sought by the respondent authorities. However, no decision was taken nor compassionate appointment was granted. Initially, the mother of the petitioner was seeking employment on compassionate ground but later on, as the petitioner became major, petitioner's mother submitted a claim for grant of compassionate appointment to the petitioner.

On petitioner's own showing, the father of the petitioner died way back in the year 1993. Eversince then, the petitioner and his family has been able to maintain themselves. After 18 years, the petitioner has now knocked the doors of the Court for issuance of direction.

4. It needs no authority for settled legal position that compassionate appointment is not an alternative source of employment. The only object and purpose of providing compassionate appointment is to provide immediate succor to the family of the deceased employee so that the family may not suffer agony of starvation due to sudden death of sole bread earner of the family. At that time or soon after death of the employee, the mother of the petitioner or any other major member of the family did not approach this Court for issuance of any direction. Obviously, at the time of death of his father, the petitioner was minor of barely 7 years. After 18 years, now, the petitioner is claiming compassionate appointment. Therefore, at this stage, no purpose would be served. The very object of granting compassionate appointment no longer subsists because the petitioner and his family has been able to survive for long years .

5. In view of above, no direction can be issued for grant of compassionate appointment. The petition is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)

Judge