

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.2910 of 2016**

Prahlad S/o Dinu Lal, aged about 33 years R/o Village Jota, Post Tandawa, P.S. Nevra (Tilda), Distt. Raipur (C.G.)

---- Petitioner**Versus**

1. Chhattisgarh State Power Holding Company Limited through its Managing Director Raipur, Distt. Raipur (C.G.)
2. Executive Engineer, Chhattisgarh State Power Distribution Company Limited, Raipur, Distt. Raipur (C.G.)
3. Chief Engineer, Chhattisgarh State Power Holding Company Limited, Raipur Distt. Raipur (C.G.)
4. Superintendent Engineer, Chhattisgarh State Power Holding Company Limited, Durg, Distt. Durg (C.G.)
5. Madhya Pradesh State Electricity Board, through its Secretary, Jabalpur, Distt. Jabalpur (C.G.)

---- Respondents

For Petitioner : Ms. Pritha Ghoshal, Advocate

Hon'ble Shri Manindra Mohan Shrivastava, J.**Order on Board****26/08/2016**

Heard.

1. By this petition, the petitioner has prayed for issuance of direction for consideration of his case for compassionate appointment.
2. It is the case of the petitioner that his father died on 07/10/2001 and as per existing policy of the respondent-company, the petitioner was entitled to compassionate appointment.

3. Learned counsel for the petitioner submits that in number of cases, which were earlier decided by this Court, on 18/12/2014, a direction has been issued for consideration of cases as per policy in vogue in accordance with law.

4. The petitions, in which, orders have been passed by this Court, were filed in the years 2004, 2005 & 2006.

5. It is well settled legal position that the compassionate appointment policy is not a source of recruitment, as such, it only provides immediate relief and succor to the family of the deceased-employee. The petitioner is the son of deceased-employee. At the time of death of his father i.e. on 07/10/2001, he was aged about 16 years. Upon attaining the age of majority, he had applied for compassionate appointment in the year 2002. The claim of the petitioner for compassionate appointment was however rejected as is clear from internal correspondence Annexure P-3. Thereafter, the petitioner did not pursue any other remedy for long time and filed this petition in the year 2016, i.e. delay of almost 12 years.

6. Be that as it may, the petitioner never claimed any relief for last 12 years, which shows that the petitioner has been able to manage the affairs. Therefore, I am not inclined to invoke discretionary jurisdiction under Article 226 of the Constitution of India in favour of the petitioner. The petition is dismissed on the ground of delay and laches.

Sd/-

(Manindra Mohan Shrivastava)
Judge