

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WRIT PETITION (S) NO. 3534 OF 2015**

Deepak Kannoje S/o Late Shri C.L. Kannoje, aged about 33 years, occupation Un-employed R/o Village Nara, Post Bhansoj (Arang), P.S. Arang, Civil & Revenue Distt. Raipur (C.G.)

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

1. The Chhattisgarh State Power Holding Company Limited, through its Director General Manager (HRD) Dagaiya, Raipur, Distt. Raipur (C.G.)
2. Deputy Managing Director, Chhattisgarh State Power Holding Company Limited, Daganiya Raipur, Distt. Raipur (C.G.)

**---Respondents**


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| For Petitioner  | : | Mr. Sunil Sahu, Advocate     |
| For Respondents | : | Mr. Syed Majid Ali, Advocate |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****19/02/2016**

1. The petitioner has assailed the order dated 03/08/2015 passed by respondents rejecting his prayer for

grant of compassionate appointment on the ground that the application was filed after 18 years from the date of death of his father.

2. The policy dated 30/01/1997 has been annexed with the writ petition. Clause-6 of the policy clearly provides that the dependent of the deceased employee has to submit application in the office where the deceased was working within one year from the date of death, with further stipulation that application received after one year shall not be considered.

3. In the matter of **Shreejith L. Vs. Deputy Director (Education) Kerala and others**<sup>1</sup>, the Supreme Court has held thus:-

“18. There is considerable merit in the contention urged by Mr. Rajan. It is not in dispute that Respondent 1 had attained majority on 8/5/1995 whereas the application for compassionate appointment was made on 10/09/2007. This application was, on the face of it, beyond the period stipulated in the scheme for making such a claim. The High Court appears to have confused an application required to be filed within the period stipulated for the purpose with the availability of a vacancy against which such an application could be considered by the Manager. These were two

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<sup>1</sup>(2012) 7 SCC 248

distinctly different matters. What was important was the making of an application for appointment on compassionate basis within the period stipulated for the purpose. Whether or not a vacancy is available had nothing to do with the making of the application itself.”

4. In the case at hand, there is no dispute that the petitioner’s father died on 12/06/1997 whereas the application was preferred on 16/01/2015 i.e. nearly after 18 years. Thus, the application was not worth consideration in view of Clause-6 of the policy dated 30/01/1997.

5. The respondents have not committed any illegality in rejecting the petitioner’s application for grant of compassionate appointment.

6. Accordingly, the writ petition being bereft of any substance deserves to be and is hereby dismissed.

Sd/-  
**(Sanjay K. Agrawal)**  
Judge