

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No.101 of 2016**

Ravindra Gajbheem, S/o Late Shri Annopram Gajbheem, aged about 25 years, R/o. Infront of LIC Office, Tikrapara Kanker, P.S. Kanker, Civil & Revenue Distt.- North Bastar Kanker (C.G.)

---- Appellant

Versus

1. Union of India, through the Secretary, Department of Personal and Training Khan Market, New Delhi
2. Chhattisgarh State Power Distribution Company Limited (CSEB) through its Managing Director, Chhattisgarh State Power Distribution Company Successive company of CSEB Raipur, Civil & Revenue Distt. Raipur (C.G.)
3. Chief Managing Director (Chairman) CSPDC Limited Raipur, Civil & Revenue Distt. Raipur (C.G.)
4. The Superintending Engineer, Workshop Division Raipur, Distt.- Raipur (Chhattisgarh)
5. The Executive Engineer, Chhattisgarh Power Distribution Company Limited, Jagdalpur, Civil & Revenue Distt. - Jagdalpur (C.G.)
6. Madhya Pradesh State Electricity Board, through its Secretary, MPEB Shakti Bhawan, Jabalpur, Distt. Jabalpur (M.P.)

---- Respondents

For Appellant : Mr. Sumit Shrivastava, Advocate.

For Respondent No. 1. : Mr. N.K. Vyas, Assistant Solicitor General

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

Per Deepak Gupta, Chief Justice

16/08/2016

(1) The present appeal is directed against the order dated 16.12.2014

passed by a learned Single Judge of this Court rejecting the writ petition filed by the petitioner/claimant seeking employment on compassionate ground.

(2) Undisputed facts of the case are that the father of the appellant was an employee of Madhya Pradesh Electricity Board. He expired on 21.12.1992 even when State of Chhattisgarh had not been carved out of the State of Madhya Pradesh. As per averments made, mother of the appellant sought compassionate appointment for the first time on 14.08.2006 but as she was not found fit for being appointed on compassionate ground, the application was returned and then the writ petition was filed on behalf of son of the deceased on 13.12.2011.

(3) Deceased had died in the year 1992; the writ petition was filed two decades later in the month of December, 2011, which itself shows that family of the deceased was not left in an indigent circumstances. Normally, it is expected that application for compassionate appointment has to be filed within one year from the date of death. In case of minor, that limitation may not apply but even then the application must be made within one year of the date when the minor attains the age of majority.

(4) In this case, application was filed after 14 years and the writ petition was filed after 20 years of death of deceased employee. Therefore, we cannot interfere with the order passed by learned Single Judge.

(5) Accordingly, the application for condonation of delay as well as writ appeal stands dismissed.

Sd/-
(Deepak Gupta)
Chief Justice

Sd/-
(Sanjay K.Agrawal)
Judge

