

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2497 OF 2016**

Brijesh Kumar S/o Late Ramprasad, Aged About 28 Years R/o Village Amapara, Post Patrapali (Baikunthpur), District Korea, (Chhattisgarh)

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through The Managing Director, Seepat Road, Bilaspur, (Chhattisgarh)
2. The General Manager (Mining)/ Sahdeo Management, Churcha Regional Office, Churcha Colliery, District Korea, (Chhattisgarh)
3. The Senior Manager (Personnel), Churcha Regional Office, District Korea, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Sanjeev Verma, Advocate
For Respondents	:	Ms. S. Harshita, Advocate on behalf of Mr. Abhishek Sinha, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order on Board****03/08/2016**

Heard on admission.

1. The challenge to the order rejecting claim for compassionate appointment is based on various grounds including the ground that the petitioner being sole dependent of deceased-employee was entitled to compassionate appointment under the provisions of compassionate appointment policy.
2. In the present case, father of the petitioner died on 07/01/1997. At that time, the petitioner was minor and he attained majority in the year 2003. Thereafter, an application for compassionate appointment was submitted in the year 2007, which was rejected by order dated 30/03/2011.

3. This petition has been filed by the petitioner after more than five years of rejection of his application for grant of compassionate appointment without there being any explanation as to why the petitioner could not approach this Court in time. It has further been noticed that in column No. 7 of memo of petition, the petitioner declares that there is no delay in filing the instant petition.

4. Considering that, it is a case of claim for compassionate appointment by the petitioner who did not claim any relief against rejection of his application for appointment on compassionate basis for more than five years, in the considered opinion of this Court, this petition deserves to be and is accordingly dismissed on the ground of delay and laches as there is no explanation for inordinate delay in filing the instant petition.

Sd/-
(Manindra Mohan Shrivastava)
Judge