

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6258 of 2017

Swapnil Tirkey S/o Late Peter Tirkey, Aged About 24 Years
Occupation Unemployed, R/o River View Colony, Bade Koni, Tahsil
Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Technical Education, (Jansakti Niyojan) New Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. The Director, Industrial Training Institute, Block No. 04, Indrawati Bhawan, New Raipur, Chhattisgarh.
3. The Joint Director, Industrial Training Institute, Composite Suilding, Near Collectorate, Bilaspur, Chhattisgarh.
4. The Principal, Industrial Training Institute, Sakti, District Janjgir-Champa, Chhattisgarh.

---- Respondents

For petitioner : Mr. A. N. Bhakta, Advocate

For State : Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

12/12/2017

1. This petition has been filed by the petitioner for direction to respondents to consider petitioner for compassionate appointment. The Father of the petitioner died in harness on 27-08-2009. The petitioner submitted an application claiming compassionate appointment. When the application was not considered, the petitioner filed this petition.

2. Learned counsel for the petitioner submits that soon after father of the petitioner died, an application on 07-12-2009 for compassionate

appointment was moved by the petitioner. He would submit that though at that time the petitioner was minor, compassionate appointment policy being a socially beneficant scheme, the respondent ought to have considered the case of the petitioner for compassionate appointment as soon as the petitioner attained majority.

3. In this case, the Court had granted time to place on record the compassionate appointment policy which was in force on the date of death of petitioner's father. The petitioner has placed on record number of circulars which were in force, at the time, when the father of the petitioner died. Those circulars have been annexed with the application for taking into consideration the documents on record. The petitioner has placed on record compassionate appointment policy guidelines dated 10-06-2003, 02-02-2006, 27-10-2006, 27-05-2009 and 29-06-2009. It has nowhere been provided that if the son of the deceased employee is minor, his case of compassionate appointment would be considered upon attaining majority.

4. On the other hand, the aforesaid policies indicate that the applications are required to be filed within a period of 6 months. Therefore, no relief can be granted to the petitioner.

4. Accordingly, the petition is dismissed.

Sd/-

(Manindra Mohan Shrivastava)

Judge