

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2214 of 2017**

- Smt. Anita Devi W/o Late Shri Kamta Prasad, Aged About 37 Years Caste Scheduled Tribe, R/o Village Asni, Tehsil Mada, District Singrauli (Madhya Pradesh).

---- Petitioner**Versus**

1. State of Chhattisgarh Through Chhattisgarh, Secretary, Department Of Energy, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh).
2. Chhattisgarh State Power Distribution Company Limited, Through Managing Director, Raipur, District Raipur (Chhattisgarh).
3. Deputy Managing Director, (H. R.)- 2, Chhattisgarh State Power Holding Company Limited, Raipur, District Raipur (Chhattisgarh).
4. Executive Engineer (Store) Area Store Division, Chhattisgarh Power Distribution Company Limited, Bishrampur, District Surajpur (Chhattisgarh).
5. Deputy General Manager (H. R.) II, Chhattisgarh Power Holding Company Limited, Raipur, District Raipur (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Surfraj Khan, Advocate
For Respondents-State	:	Shri Satish Gupta, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****11/05/2017**

1. Admittedly, petitioner's husband died in-harness on 09.07.1996, since thereafter the petitioner kept on representing the matter and her claim is still pending, however, in view of the law laid down by the Supreme Court in the matters of **Union of India and others v. Bhagwan Singh¹, Jagdish**

¹(1995) 6 SCC 476

Prasad v. State of Bihar and another², Haryana State Electricity Board v. Naresh Tanwar and another³, Haryana State Electricity Board and another v. Hakim Singh⁴, National Hydroelectric Power Corporation and another v. Nanak Chand and another⁵ and State of U.P. and others v. Ram Sukhi Devi⁶, compassionate appointment is not permissible after long lapse of time since the death of the deceased employee because the compassionate appointment is allowed to tide over the sudden financial crisis, which should not be used as a source of recruitment.

2. In view of the settled legal position, the writ petition is dismissed.

Sd/-

Judge

Prashant Kumar Mishra

Ashu

2(1996) 1 SCC 301

3(1996) 8 SCC 23

4(1997) 8 SCC 85

5(2004) 12 SCC 487

6(2005) 9 SCC 733