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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 3004/2017 & CM Nos. 13166-67/2017**

ANKIT KUMAR

..... Petitioner

Through: Mr. Shesh Datt Sharma, Adv.

versus

STATE (GOVT. OF NCT) & ORS.

..... Respondents

Through: Mr. S.S.Malik, Adv. for R-1 and 2.
Mr. Ajay Kumar, LA Z/I, DOE,
GNCTD.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **10.04.2017**

1. Petitioner seeks compassionate appointment with the respondent no.3-school on account of death of his father Sh. Hari Ram and who was working with the respondent no.3 as a Chowkidar.

2. Respondent no.3-school is an aided school i.e 95% of its finances are provided by the Govt. of NCT of Delhi through the Director of Education. Really therefore, the respondent no.3 is a private school and not a government school, though as a private school it is an aided school.

3. Compassionate appointment is not a regular mode of recruitment. It is settled law that compassionate appointment can be granted only if there is a policy for compassionate appointment and the applicant satisfies the requisite ingredients of the policy as per the judgment in the case of ***State Bank of India & Anr. Vs. Raj Kumar (2010) 11 SCC 661.***

4. Since neither the respondent no.3 is a government entity nor a State under Article 12 of the Constitution of India, and even assuming it is, since there is no policy of compassionate appointment, hence petitioner cannot be granted compassionate appointment.

5. Dismissed.

VALMIKI J. MEHTA, J

APRIL 10, 2017

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