

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 473 of 2018**

Vijay Kumar Yadav S/o Late Shri Shiv Prasad Yadav, Aged About 47 Years
Occupation Unemployed, R/o Near 132 K.V. Sub Station, Bti Road,
Mahansamund, P.S. Mahasamund, Civil And Revenue District Mahasamund
Chhattisgarh.

---- Appellant**Versus**

1. Chhattisgarh State Power Distribution Compnay Limited Through Managing Director, Daganiya, Raipur, District Raipur Chhattisgarh.
2. Director General (HRD), Chhattisgarh State Power Distribution Company Limited, Office Of The Director General (HRD), Daganiya, Raipur, District Raipur Chhattisgarh.
3. Deputy Managing Director, Chhattisgarh State Power Distribution Company Limited, Daganiya, Raipur, District Raipur Chhattisgarh.

---- Respondents

For Appellant	: Shri Curtis Collins, Advocate.
For Respondents	: None.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Pritinker Diwaker, Judge

Order on Board**16/07/2018****Per Ajay Kumar Tripathi, Chief Justice**

1. There is an extraordinary delay of 486 days in preferring an appeal against the order of the learned Single Judge dated 24.10.2016. The explanation offered for such delay does not satisfy us that a case for condoning the delay is made out.
2. Irrespective of the same, to satisfy the judicial consciences, we have gone through the impugned order dated 24.10.2016. The writ application of the Appellant was dismissed by the learned Single Judge refusing to give any direction for consideration of compassionate appointment and rightly so.

3. Since the compassionate appointment is not a fundamental right and the object and purpose of compassionate appointment is to provide immediate relief to the family on death of the bread earner, the object and purpose has been lost for many reasons. The death of the father of the Appellant assumed on 30.08.1998 i.e. 20 years ago. At the time of death of his father, the Appellant was aged 31 years and seven months. The maximum age limit prescribed for the post i.e. Assistant Grade-III is 30 years, therefore, he lacks eligibility even otherwise.
4. No direction therefore is needed in favour of the Appellant by interfering with the order of the learned Single Judge since it does not suffer from any illegality or infirmity.
5. The I.A. No.01 of 2018 is dismissed so is the appeal.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Pritinker Diwaker)
JUDGE