

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 569 OF 2018**

1. Smt. Purnima Dubey W/o Late Shri Satish Dubey Aged About 50 Years Caste Brahmin, R/o Kududand Bilaspur Tahsil And District Bilaspur, Chhattisgarh.
2. Abhjeet Dubey S/o Late Shri Satish Dubey Aged About 27 Years Caste Brahmin, R/o Kududand Bilaspur Tahsil And District Bilaspur, Chhattisgarh.

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1. Chhattisgarh Infra Structure Development Corporation Shastri Chowk Raipur, Chhattisgarh.
2. Chief General Manager CIDC Transport Development Raipur, Chhattisgarh.
3. Managing Director C.I.D.C. Raipur.
4. Madhya Pradesh Road Transport Corporation Habibganj, Bhopal (M.P.).
5. Managing Director MPRTC Habibganj, Bhopal (M.P.).
6. State Of Chhattisgarh Through Chief Secretary Secretariate, New Raipur, Chhattisgarh.
7. Union of India Through Department Of Personal Grievance And Pension Lok Nayak Bhawan, Khan Market New Delhi.

.....Respondents

For Appellants	:	Shri Kishore Bharat, Advocate
For Respondent/State	:	Shri U.N.S. Deo, Govt. Advocate
For Respondent No.7	:	B. Gopa Kumar, Assistant Solicitor General

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board**01/10/2018****Per Ajay Kumar Tripathi, Chief Justice**

1. Heard counsel for the parties.
2. Perused the order dated 14/05/2018 passed by the learned Single Judge who has dismissed the writ application refusing to give a direction upon the respondents to grant compassionate appointment to the appellants.
3. Admitted position is that the husband of appellant No. 1 and father of appellant No. 2, namely, Satish Dubey was working as conductor in what was

known as erstwhile MPSRTC and he died in harness on 04/05/2002. Legal battle has gone on over many years whether a policy for compassionate appointment is available under the newly created State of Chhattisgarh for the employees of the erstwhile MPSRTC or not, especially when no corresponding corporation of such kind was created.

4. However, it emerges that after the reorganization or bifurcation of the State vide notification dated 13/12/2002 the employees who had been allocated to the State of Chhattisgarh were required to be accommodated in what is known as Chhattisgarh Infrastructure Development Corporation ('CIDC').

5. Bereft of all other arguments and also agreeing with the principle and finding recorded by the learned Single Judge, this Court cannot be unmindful of the fact that the object of providing compassionate appointment is to provide immediate succor to the family and not as means of finding employment for unemployed children or dependents of an employee.

6. The death happened on 04/05/2002. Sixteen years have gone past. The underlying object behind compassionate appointment is lost. In view of the same, we are not inclined to interfere with the order of the learned Single Judge nor do we find that the view so taken is erroneous in any manner, which is required to be rectified or modified in the appeal.

7. The appeal has no merit it is dismissed.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE