

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 179 of 2017

(Arising out of Order dated 03.04.2017 passed in W.P.(S) No. 276 of 2017 by the learned Single Judge)

- Bhanupratap Shukla S/o Late Ashok Kumar Shukla, Aged About 40 Years Occupation Nil, R/o Mohtara, Post Office Latuwa, Tahsil And Distt. Balodabazar-Bhatapara, Chhattisgarh

---- Appellant

Versus

1. Chhattisgarh State Power Holding Company Limited Through Its Managing Director, Daganiya, Raipur, Distt. Raipur, Chhattisgarh
2. Deputy Managing Director, Chhattisgarh State Power Holding Company Limited, Daganiya, Raipur, Distt.- Raipur, Chhattisgarh
3. Superintendent Engineer, O and M Division, Chhattisgarh State Power Distribution Company Limited, Bhatapara, Distt. Balodabazar-Bhatapara, Chhattisgarh
4. Madhya Pradesh State Electricity Board, Through Its Secretary, Jabalpur, District Jabalpur M.P.

---- Respondents

For Appellant	:	Shri Awadh Tripathi, Advocate
For Respondents	:	Shri Jitendra Pali, Advocate

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice

Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board

Per, Ajay Kumar Tripathi, Chief Justice

16.11.2018

1. Heard counsel for the Appellant and counsel for the Respondents.
2. Only reason why this Court is not willing to interfere with the order of the learned Single dated 03.04.2017 is because the death happened way back on 05.04.1999. 19 years have gone past. Very object and purpose for providing compassionate appointment has been lost now. No amount of legal jugglery is going to take away the focus of this Court from deciding such an issue by missing the object and purpose for providing compassionate appointment.

3. What is worse in terms of facts in this appeal is that after having decisively lost the legal battle on earlier rounds in writ applications, merely because in a Writ appeal No. 648 of 2015 the Division Bench allowed mercy representation to be given and as a consequence thereof some kind of communication has been made by the Company, that does not revive or renew the right for compassionate appointment at this hour now.
4. The appeal has no merit. It is dismissed.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge