

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No 8297 of 2018**

Akash Dewangan S/o Faguram Dewangan Aged About 26 Years R/o Ashray Parisar, Bhawani Nagar, Sirgitti, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhavan Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Collector, District Janjgir Champa Chhattisgarh.
3. Additional Assistant Development Commissioner, Akaltara, District Janjgir Champa Chhattisgarh.
4. Chief Executive Officer Janpad Panchayat, Akaltara, District Janjgir Champa Chhattisgarh

----Respondent

For Petitioner	:	Mr. Hemant Kesharwani, Advocate
For State	:	Mr. R.N. Pusty, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/12/2018**

1. The claim of the petitioner in the present writ petition is for a direction to the respondents to consider the case of the petitioner for grant of compassionate appointment.
2. At the outset, this Court is not inclined to entertain the writ petition on the facts narrated below:

“The deceased employee was the mother of the petitioner. She died in harness on 14.10.1997. At the time of the death of the deceased employee, the father of the petitioner was alive and the petitioner and his sister both were dependent on their father. Records show that the father's claim for compassionate appointment was rejected by the department as early as on 29.10.1998.”

3. The fact that the claim for compassionate appointment of the father was rejected in 1998, clearly reflects that the issue of grant of compassionate appointment stood closed by the department or decided finally by the department in October, 1998 itself. Subsequently, only on the ground that the petitioner at that point of time was a minor, would not give rise to a claim for compassionate appointment to the petitioner on his attaining the age of majority at this point of time.
4. Moreover, in the present facts, the petitioner also had attained majority in 2011 and the present writ petition is being filed after more than 7 years from the date of his attaining the age of majority. There again seems to be an inordinate unexplained delay on the part of the petitioner in approaching this Court.
5. Entertaining a petition for compassionate appointment, where the death took place about 20 years back, would be opening of a Pandora box of all similarly placed situations and which ultimately would not be in the interest of administration.
6. For the aforesaid reasons, this Court does not find any strong case made out by the petitioner for issuance of any direction to the respondents in this regard.
7. The writ petition fails and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved