

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 789 of 2019**

Krishna Kumar Bajpai S/o Late Shri Shankar Lal Bajpai, Aged About 32 Years R/o Village And Post Manabasti District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary School Education Department Mantralaya Mahanadi Bhawan New Raipur Chhattisgarh.
2. The District Education Officer Raipur District Raipur Chhattisgarh.
3. The Block Education Officer Block Education Office Raipur District Raipur Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Neeraj Pradhan, Advocate
For State	:	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/02/2019**

1. The claim of the petitioner is for grant of compassionate appointment.
2. Perusal of record would show that the death of the petitioner's father in harness was on 15.10.1994. As such the claim of the petitioner now is being raised after about 25 years from the date of death of the deceased employee.
3. This Court has no hesitation in holding that the petition suffers from delay and laches, in as much as, the petitioner has filed the present writ petition after more than 25 years from the date of death of his father and after more than 14 years from the date he has crossed the age of majority (even if the case be plead of his being minor at the relevant point of time). Both these periods i.e. 14 years and 25

years are a considerable period of time for consideration of a claim for compassionate appointment. The claim for compassionate appointment ought to have been raised at the first available opportunity and atleast within a reasonable period of time. If the petitioner sleeps over his right for a considerable period of time and subsequently files a petition for grant of compassionate appointment, this Court is of the opinion that such claim should not be entertained, as it would amount to showing misplaced sympathy to the petitioner.

4. The object and purpose of grant of compassionate appointment is to ensure that the family of the deceased employee are not put in a state of penury on account of the death of the deceased employee or the bread earner in the family.
5. The fact that the petitioner as well as his family has sustained themselves for a period of 25 years, is itself a strong ground to draw an inference that they had sufficient means to sustain themselves.
6. The writ petition, therefore, deserves to be and is dismissed on ground of delay laches.

Sd/-
(P. Sam Koshy)
Judge