

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWPS No. 3397 of 2019

- Tula Ram S/o Shri Bullu Ram Aged About 29 Years R/o Village Dubchera, Tehsil Doundilohara, District-Durg, Chhattisgarh.

---- Petitioner

Versus

1. Union Of India Through General Manager, South East Central Railway, New GM Building, Bilaspur, Chhattisgarh.
2. Chief Personal Officer, Divisional Office, Personnel Branch, South East Central Railway, Bilaspur, Chhattisgarh.
3. Senior Division Personnel Officer Divisional Office, Personnel Branch, South East Central Railway, Raipur, Chhattisgarh.

---- Respondents

For Petitioner :- Shri Prasoon Agrawal, Advocate.

Hon'ble Shri Prashant Kumar Mishra, J.

Hon'ble Shri Parth Prateem Sahu, J.

Order on Board

By

Prashant Kumar Mishra, J.

06/05/2019

1. Admittedly, petitioner is the nephew of the government servant who died in harness on 01.12.1994, while working

as Gangman with the respondent-Railways. His application for grant of compassionate appointment was rejected on 14.09.2016 stating that the ex-employee being unmarried, he was not having liability in his family as he was not having any family. Apart from the fact that after the death of the government servant on 01.12.1994 the application was moved some times in the year 2016 i.e. after lapse of about 22 years, it is also to be seen that under the Master Circular No.16 dealing with the issue of appointment on compassionate grounds, there is no provision for facility of compassionate appointment to nephew of the deceased government servant. If there is no provision for such compassionate appointment to a person like the petitioner, who is the nephew of the deceased government servant, this Court cannot add to create a new species of persons who would be entitled for compassionate appointment.

2. The Tribunal has not committed any error in rejecting the Original Application.
3. This writ application has no substance; accordingly it is hereby dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Parth Prateem Sahu)
Judge