

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3592 of 2019

Chandraprabha Jaiswal D/o Late Makhanlal Jaiswal Aged About 23 Years
R/o Village Masaniya Kurud, Post- Masaniya Khurd Tehsil Sakti, District-
Janjgir-Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Forest Department, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Chief Conservator Of Forest Aranya Bhawan North Block, Sector-19 Kotara Bhantha, Naya Raipur, Chhattisgarh.
3. Forest Officer Circle Office, Janjgir-Champa, District- Janjgir-Champa, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Basant Dewangan, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/05/2019

1. The claim of the petitioner in the present writ petition is for grant of compassionate appointment on the death of father of the petitioner namely Makhanlal Jaiswal.
2. The facts of the case is that the father of the petitioner was working as a Forest Guard under the respondents and who died in harness during the service tenure itself on 08.11.1998. The present writ petition has now been filed on 24.04.2019 i.e. after about 21 years from the date of death of deceased employee.
3. Perusal of the record shows that the Department had already considered the claim of the petitioner and found her not eligible vide order dated 17.11.2017. The petitioner thereafter also has now approached the Court after a period of about 1 ½ years. So far as the claim for compassionate appointment is concerned, it has been well settled that the claim for

compassionate appointment should be claimed at the earliest and the very purpose of grant of compassionate appointment is to tied away the financial crises that the family members of the deceased employee faces immediately at the time of death.

4. In the instant case the facts that the present writ petition has been filed after more than 21 years from the date of death of deceased employee and 1 ½ years from the date it was refused by the State Government, this Court is of the opinion that no strong case has been made out by the petitioner for issuance of a direction in this regard to the respondents. The writ petition therefore suffers from delay and laches and the same deserves to be and is accordingly dismissed on the ground of delay and laches itself.

Sd/-
(P. Sam Koshy)
Judge

Ved