

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4596 of 2019

Madhukant Sinha S/o Late Shri Devvrat Sinha Aged About 31 Years R/o
Sastri Chowk, Madir Hasaud, Tehsil Arang, District Raipur Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh State Power Distribution Company Limited Through Its Managing Director, Raipur, District Raipur Chhattisgarh
2. Executive Engineer (Communication / Conservation) Division, C S P D C L., Balod Chhattisgarh.
3. Assistant Engineer (W) C G S P D Co. Ltd. Dhamtari Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Ritesh Verma, Advocate
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Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/06/2019

1. The claim of the petitioner in the present writ petition is for a direction to the respondents to consider his claim for compassionate appointment.
2. The facts of the present writ petition is that the father of the petitioner late Devvrat Sinha was an employee under the erstwhile Madhya Pradesh Electricity Board on the post of Lineman. The father of the petitioner died in harness on 11.01.1996.
3. As per the petitioner, the mother of the petitioner had initially moved an application for compassionate appointment. Subsequently, she did not press her claim and thereafter has given an NOC to the petitioner and the petitioner subsequently has moved the application for compassionate appointment in the year 2014. The authorities concerned have returned the application to the petitioner expressing their inability to process the case of the petitioner vide order dated 03.12.2014. The present writ petition now has

been filed after about 4 ½ years time from the date the respondents had refused to entertain his application for compassionate appointment.

4. Given the aforesaid facts, what is undisputed is that the date of death being 11.01.1996. Today it is more than 23 years from the date of death of the deceased employee. The petitioner for the first time had put up his claim in the year 2014 i.e. after about 18 years from the date of death of the deceased employee. The application was refused to be entertained by the respondents on 03.12.2004. The petitioner now has approached this Court after about 4 ½ years of time. It is not a case that the petitioner has recently attained the age of majority. The petitioner from the age that has been reflected in the writ petition attained the age of majority somewhere in the year 2002-03 and even thereafter the petitioner took more than 10 years of time for filing his claim application for compassionate appointment.
5. Another aspect, which cannot be lost sight of is that the mother of the petitioner at the first instance had raised a claim in the year 1997. What happened to the said claim, why the mother did not pursue the said application is not discussed or reflected in the present writ petition.
6. All the aforesaid facts and circumstances of the case forces this Court to reach to the conclusion that the present writ petition suffers from inordinate delay laches and the writ petition accordingly stands dismissed on this ground alone.

Sd/-
(P. Sam Koshy)
Judge