

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 778 of 2018**

{Arising out of order dated 20.08.2018 passed by learned Single Judge in Writ Petition (S) No. 5333 of 2018}

- Khulendra Kumar Thakre, S/o Late Shri Prune Kishore Thakre, aged about 22 years, R/o Tikrapara, Ward-3, Karwari Road, Dongargarh, District Rajnandgaon (C.G.)

---- Appellant**Versus**

1. State of Chhattisgarh, Through the Secretary, Department of Public Health & Family Welfare, Mantrayala, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. The Director, Health Services (Chhattisgarh), H.Q. Indrawati Bhawan, Naya Raipur (Chhattisgarh)
3. The Chief Medical & Health Officer, Rajnandgaon, District Rajnandgaon (Chhattisgarh)

---- Respondents

For Appellant	:	Shri Palash Tiwari, Advocate.
For Respondents/State	:	Smt. Astha Shukla, Panel Lawyer.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Justice Parth Prateem Sahu****Judgment on Board****Per Ajay Kumar Tripathi, Chief Justice****08.01.2019**

1. Heard counsel for the Appellant and the State against the order impugned dated 20.08.2018 passed by learned Single Judge who has dismissed the writ application refusing to give any direction for compassionate appointment primarily on the ground of laches and delay.
2. The death of the employee happened on 15.08.2011 in harness. Application was filed only in the year 2016 i.e. on 29.06.2016 by the present Appellant i.e.

6 years after the death. The same stood rejected 22.06.2016 and then it came to be challenged in the writ application in the year 2018.

3. The very object and purpose of providing compassionate appointment is to provide relief to the family which is in distress due to death of the bread earner. Therefore, there is obvious laches on the part of the claimant. Not to ignore the fact that the offer made to the mother was earlier rejected by her on one pretext or the other.
4. Be that as it may, we are of the opinion that the view so taken by learned Single Judge does not need to be interfered with.
5. Appeal has no merit. It is dismissed.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge