

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2921 of 2021**

1. Lokesh Nirala S/o Late Meen Prasad Nirala Aged About 26 Years R/o Village- Miriguda, Tehsil- Dharamjaigarh, Distt.- Raigarh (Chhattisgarh)---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Animal Husbandary And Veterinary Services, Mantralaya, Nava Raipur, Tehsil And District Raipur, Chhattisgarh.
2. Director Animal Husbandary And Veterinary Services, Directorate, Mahandi Bhawan, Nawa Raipur, Tehsil And Distt. Raipur, Chhattisgarh.
3. Deputy Director Animal Husbandary And Veterinary Services, Raigarh, Tehsil And District Raigarh, Chhattisgarh. **----Respondents**

For Petitioner	:	Shri Rupesh Shrivastava, Advocate.
For State	:	Shri Amrito Das, Addl. A.G. along with Shri Rahul Jha, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****24.06.2021**

1. The petitioner seems to be aggrieved by the decision of the respondents in not taking a decision for grant of compassionate appointment.
2. Perusal of the records would show that the deceased in the instant case i.e. the father of the petitioner died in harness while working under the erstwhile State of Madhya Pradesh as an Assistant Veterinary field officer on 25.11.1995. The petitioner, it is said, was minor at that point of time and subsequent to attaining the age of majority when she had applied and when the application was not being considered, the present writ petition has been filed. Counsel for the petitioner submits that he had moved an application before the respondents/State but till

date no decision has been taken on the said application.

3. At the outset, this Court is of the firm view that the claim put forth by the petitioner suffers from delay laches, firstly for the reason that the death in the instant case took place more than 26 years ago. The State of Chhattisgarh as a policy decision had accepted to consider compassionate appointment's of those cases where the death took place immediately three years prior to the date the State was formed on 01.11.2000. This otherwise means the State would be considering cases for compassionate appointment those cases where the death occurred on or after 01.11.1997. The date of death in the instant case is much before the said period of three years.
4. Another reason which forces this Court not to entertain the writ petition is the fact that the petitioner herein from the pleadings itself shows that he attained the age of majority in the year 2013 even then the present writ petition has now been filed i.e. after more than eight years from the date the petitioner attained the age of majority which again is an inordinate belated stage for claiming compassionate appointment. Though the petitioner has stated to have filed his claim application to the authorities and has been pursuing them personally for all these period but the fact remains that the petitioner has approached the Court of law after a long gap of more than 8 years. Thus, for the aforegiven reasons, this Court is of the opinion that the writ petition suffers from delay laches and the same deserves to be and is accordingly rejected.

Sd/-

P. Sam Koshy
Judge