

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3422 of 2021

1. Roopkumar Patel S/o Late Pitambar Patel, Aged About 42 Years R/o Ward No. 2, Shiv Nagar, Rajeev Nagar, Police Station City Kotwali, Tahsil And District - Durg Chhattisgarh.

---- Petitioner

Versus

1. The Chhattisgarh State Power Distribution Company Limited, Through Its Managing Director, Daganiya, Raipur, District - Raipur Chhattisgarh.
2. The Chhattisgarh State Power Holding Company Limited, Through Its Director General Manager (Hrd), Daganiya, Raipur, District - Raipur Chhattisgarh.
3. Executive Director, Human Resources, Chhattisgarh State Power Holding Company Limited, Daganiya, Raipur, District - Raipur Chhattisgarh.

---Respondents

For Petitioner	: Shri Purendra Khichariya, Advocate.
For State	: Shri Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.07.2021

1. Aggrieved of the inaction on the part of the respondents in not considering and deciding the claim of the petitioner for grant of compassionate appointment, the present writ petition has been filed.
2. At the outset, this Court is of the view that the writ petition is one which has been filed at an inordinately belated stage.
3. The relevant facts to explain the delay are; the father of the petitioner who was working under the erstwhile Madhya Pradesh State Electricity Board, died in harness on 05.03.1997. The petitioner at that point of time was aged around seventeen and half years. The present writ petition now is being filed after 24 years on 25.06.2021. The widow of the deceased was also alive when the employee had

died. The widow had made an application in October 1997, thereafter there has been no further pursuance by the widow and she has also expired in February 2017. Now after about four years from the death of the widow also, the present writ petition has been filed. The petitioner on the date of death of the deceased employee was seventeen and half years, today he is more than 42 years of age.

4. The aforesaid factual matrix would by itself be sufficient to explain the inordinate delay in approaching the Court for the relief that has been sought for. The aspect of delay particularly on the field of compassionate appointment is by now well settled by a catena of decisions by the Hon'ble Supreme Court.
5. Given the said facts, this Court is of the opinion that no strong case has been made out for entertaining the writ petition and the writ petition thus deserves to be and is accordingly rejected only on the ground of delay laches.

Sd/-
(P. Sam Koshy)
Judge

Jyotijha