

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceeding through video conferencing****WA No. 207 of 2021****(Arising out of order dated 24-06-2021 passed by the learned Single Judge in WPS No.2921 of 2021)**

1. Lokesh Nirala S/o Late Meen Prasad Nirala Aged About 26 Years
R/o Village- Miriguda, Tehsil- Dharamjaigarh, District- Raigarh,
(C.G.)

---- Appellant**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, Mahanadi Bhawan, Nawa Raipur, Tehsil And District- Raipur, Chhattisgarh.
3. Deputy Director Animal Husbandary And Veterinary Services, Raigarh, Tehsil And District- Raigarh, Chhattisgarh.

---- Respondents

For Appellant	:	Shri Rupesh Shrivastava, Advocate.
For Respondents/State	:	Shri Vikram Sharma, Dy. Government Advocate.

Hon'ble Shri Prashant Kumar Mishra, Ag. Chief Justice**Hon'ble Shri Naresh Kumar Chandravanshi, J.****Judgment On Board****By****Hon'ble Shri Prashant Kumar Mishra, Ag.Chief Justice.**

05/08/2021

- 1.** Heard.
- 2.** Admittedly, appellant's father died on 25-11-1995 when the State of Chhattisgarh was not carved out of unified Madhya Pradesh. At that point of time, the appellant (henceforth 'the petitioner') was minor as he attained majority in the year 2013 and thereafter preferred the writ petition in 2021 seeking a direction to the respondents to decide his application for grant of compassionate appointment.
- 3.** There can be no quarrel about the State policy that the Government has decided to consider compassionate appointment of only those cases where death has occurred immediately three years prior to the date the State was formed i.e. 01-11-2000. Accordingly, State will consider cases only where death has occurred on or after 01-11-1997. Petitioner's father having died on 25-11-1995, his case does not fall within the permissible contingency when his application can be consider on merits. Moreover, the writ petition itself was filed in 2021 despite the petitioner having attained majority in 2013. The writ Court has rightly dismissed the writ petition on these two counts.
- 4.** No case for entertaining this writ appeal is made out. It is accordingly dismissed.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice

SD/-
(N.K. Chandravanshi)
Judge

Amardeep