IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 123 of 2023

Panpati Devi, aged about 73 years wife of late Parmeshwar Lohar, Resident of Village: Manatu, P.O. Chutupalu, P.S. Ormanjhi, District – Ranchi (Jharkhand) ... ... Petitioner/Appellant

Versus

1. The State of Jharkhand
2. The Chairman, Jharkhand Urja Vikas Nigam Limited (JUVNL) Near Project Building, P.O. Dhurwa, P.S. Jagarnathpur, District Ranchi (Jharkhand).
3. The Secretary, Jharkhand Urja Vikas Nigam Limited (JUVNL) Near Project Building, P.O. Dhurwa, P.S. Jagarnathpur, District Ranchi (Jharkhand). … … ... Respondent/Respondents

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CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellant : Mr. Jay Prakash Pandey, Advocate
For the State: Mr. Rakesh Kr. Shahi, AC to SC (L&C)-I
For the JUVNL: Mr. Sachin Kumar, Advocate
Mr. Gaurav Raj, Advocate

10/Dated: 17.12.2025

I.A. No. 4477 of 2025

1) For the reasons set out in the application, the delay of 691 days is ordered to be condoned.

2) I.A. No. 4477 of 2025 stands disposed of.

L.P.A. No. 123 of 2023

3) Heard.

4) The appellant herein approached the learned Writ Court for the grant of following reliefs:-

> *"For a direction upon the respondent to appoint the son of petitioner namely Krishna Kumar on compassionate ground as the husband of the petitioner died on 05.04.2008 during the pendency of writ application c.w.j.c no. 10934/2000(P) and issue any appropriate writ order direction as Your lordships deem fit and proper."*

2) It is not in dispute that the husband of the petitioner was ordered to be dismissed from service and the said order was

challenged by filing C.W.J.C. No. 10934 of 2000 (P) and the same was allowed in the year 2018 and the husband of the petitioner was treated as having compulsorily retired on 15.03.1999 and accordingly, post retiral benefits and family pension were granted in his favour. The husband of the petitioner died in the year 2008 and the petitioner thereafter applied for compassionate appointment which came to be rejected by the respondents. It is only in 2020 that the petitioner thereafter came to approach the writ Court for the reliefs quoted above.

4) Once the husband of the petitioner had been compulsorily retired in the year 1999 and had expired on 05.04.2008, we really fail to understand, how the petitioner would claim her eligibility for being appointed on compassionate grounds. After all compassionate appointment is not a mode of recruitment, but is only an additional safeguard for those of the family members of serving employees who die while in service and leave their family in penury conditions.

5) Here, as observed above, the husband of the petitioner had long retired on 15.03.1999 and had died after such retirement on 05.04.2008. In such circumstances, obviously the writ Court had no option, but to have dismiss the petition which order does not suffer from any infirmity much less any illegality.

5) Consequently, we find no merit in this appeal. Accordingly, this appeal is dismissed.

(Tarlok Singh Chauhan, C.J.)

(Rajesh Shankar, J.)

17/12/2025
MM/ Simran
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