2026:AHC:210863

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 16589 of 2026

Hari Das

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Abhishek Dubey, Jai Raj
Counsel for Respondent(s)	:	C.S.C., Mrigraj Singh

Court No. - 32

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant writ petition seeking appointment on compassionate grounds on account of the death of his father in harness.

3. Learned counsel appearing for the petitioner submits that the petitioner's father died in harness on 05.02.2003 while working as a Driver. It is further submitted that despite repeated representations moved by the petitioner, no decision has yet been taken by the authorities concerned on his claim for appointment on compassionate grounds.

4. Sri Mrigraj Singh, learned counsel appearing for respondent nos. 2 and 3, submits that the petitioner's claim for appointment on compassionate grounds had already been considered as far back as in the year 2007. Thereafter, orders rejecting the fresh representations moved by the petitioner were also passed. He has placed photostat copies of the orders dated 21.05.2010 and 16.09.2011, before this Court today, which are taken on record.

5. A perusal of the aforesaid order dated 21.05.2010 reveals that the petitioner's claim had earlier been rejected by orders dated 27.11.2007, 04.03.2008, 15.04.2008 and 03.06.2009, inter alia, on the ground that he was not eligible for appointment to the post of Driver or Conductor. Moreover, the order dated 16.09.2011 reveals that the petitioner's representation had already been rejected by orders dated 03.06.2009 and 21.05.2010. A perusal of the writ petition further reveals that the petitioner's claim was most recently rejected by the order dated 13.08.2025 (Annexure No. 4). There is

nothing on record to demonstrate that the petitioner had ever challenged any of the aforesaid orders whereby his claim for appointment on compassionate grounds was rejected. It is further evident from the affidavit sworn by the petitioner, particularly at page 30 of the writ petition, that he is presently about 57 years of age. In such circumstances, it is rather surprising that the petitioner is still pursuing his claim for appointment on compassionate grounds, despite the fact that his claim had repeatedly been rejected and he has now attained the age of about 57 years and is thus nearing the age of superannuation.

6. In view of the aforesaid facts and circumstances, this court finds no merit in the instant writ petition. Accordingly, the same is **dismissed in limine**. However, having regard to the financial condition of the petitioner, as submitted by learned counsel appearing for the petitioner, the writ petition is dismissed without imposing any cost upon the petitioner.

7. It is, however, made clear that the petitioner shall not institute any further proceedings in respect of the same cause of action, particularly with regard to his claim for appointment on compassionate grounds, which has already been considered and repeatedly rejected by the competent authorities.

October 8, 2026
vkg

(Dinesh Pathak,J.)

Digitally signed by :-
VINOD KUMAR GOSWAMI
High Court of Judicature at Allahabad