

Jhagluram Nirmalkar Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: June 18, 2018

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Rakesh Thakur, Chandresh Shrivastava

Final Decision: Dismissed

Judgement

P. Sam Koshy, J

1. The present is writ petition claiming for compassionate appointment.

2. The father of the petitioner is said to have died in harness on 18.02.2001. According to the petitioner though he had immediately moved an

application for grant of compassionate appointment in the year 2001 itself, but the same has not been considered by the respondents.

3. The aforesaid facts and circumstances of the case itself shows that there is inordinate delay and laches in filing the writ petition. The claim for

compassionate appointment is being filed by the petitioner in the instant case by way of writ petition after more than 17 years from the date of death

of the deceased employee. 17 years is a very long period for claim of compassionate appointment. Though the petitioner submits that there was some

correspondence made by the department to the petitioner in the year, 2004, but even then thereafter the writ petition has been filed after more than

14-15 years.

4. The law so far as compassionate appointment is concerned, is by now well settled. The claim for compassionate appointment has to be made

promptly and the object for seeking compassionate appointment is to meet the immediate hardship and crisis which the family of the deceased

employee faces. Further, the relevant facts that the petitioner could sustain for about 17 years from the date of death of the deceased father is

sufficient indication of the petitioner having sufficient means to sustain.

5. This court does not find any strong ground made out by the petitioner calling for issuance of direction in favour of the petitioner for grant of

compassionate appointment.

6. The writ petition thus suffers from delay and laches and is therefore rejected only on the said ground.