
(2015) 10 JH CK 0101
In the Jharkhand High Court
Case No : W.P. (S) No. 273 of 2015

Pradeep Marandi

APPELLANT

Vs

Union of India and Others

RESPONDENT

Date of Decision : 13-10-2015

Acts Referred:

Citation : (2015) 4 AJR 480

Hon'ble Judges : Aparesh Kumar Singh, J.

Bench : Single Bench

Advocate : Durga C. Mishra, for the Appellant; Nitu Sinha, CGC, for the Respondent

Final Decision : Dismissed

Judgement

Aparesh Kumar Singh, J.—Heard counsel for the parties. The present writ application raises a claim for compassionate appointment of the second son of the deceased employee rejected by the impugned order at Annexure-7 dated 26.08.2014 by the Respondent No. 3 - Commandant on the death of the late employee, a constable (GD) under CRPF on 24.01.1992 itself. Claim of the elder son also got rejected conveyed through Annexure-6 dated 09.07.2014 on the grounds of colour blindness and the claim of the present petitioner got rejected on the grounds of being totally belated claim.

2. Petitioner being the second son of the deceased employee who admittedly was minor at the time of death in 1992, has challenged the rejection order on the ground that after claim of his elder brother was rejected on the grounds of colour blindness, as conveyed through Annexure-6 in July 2014 only, claim of the present petitioner should not have been rejected on the grounds of delay.

3. Learned counsel for the respondent-Union of India however opposes the submissions and submits that the compassionate appointment cannot be granted after such a long lapse of time from the death of the employee in 1992, otherwise it would defeat the whole object of compassionate appointment.

Having given considerable thought to the plea of the petitioner, this Court 2 is also of the view that the claim of compassionate appointment at this length of time from the death is wholly stale and in fact contrary to the very object and scheme of compassionate appointment, as is well settled by the judgments rendered by the Apex Court. Therefore, no interference is required in the impugned order. The writ petition is accordingly dismissed.