



2026:CGHC:14740



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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1376 of 2022

- N. Shweta D/o Late Shri N. Adi Narayan Aged About 30 Years R/o Pragati Nagar, Rishali Bhilai, Police Station Bhilai, Tahsil Bhilai, District Durg, Chhattisgarh, District : Durg, Chhattisgarh
... **Petitioner(s)**

versus

1. Central Bank Of India Through The Chairman, Central Bank Of India, Mumbai, Maharashtra, Pin 400021, District : Mumbai, Maharashtra
2. The Branch Manager, Central Bank Of India, Branch Raipur, Main Branch Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
... **Respondent(s)**

For Petitioner	:	Mr. Krishakumar Dixit, Advocate
For Respondents	:	Mr. Anand Shukla, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Judgment On Board

30.3.2026

- 1) By way of this petition, the petitioner has sought the following relief(s):-

10.1 That, this Hon'ble Court may kindly be pleased to call the entire record pertaining to the case of deceased father of petitioner relating to his compassionate appointment.

10.2 Any other relief(s) that this Hon'ble Court



may deem fit to grant in the facts and circumstances of this case.

- 2)** Learned counsel for the petitioner submits that petitioner's father, namely, N. Adi Narayan who was working on the post of Manager under respondent-Bank died in harness on 9.3.2012. He further submits that applications were moved by the petitioner for grant of compassionate appointment before the respondent authorities on 5.8.2012, 7.5.2013, 10.7.2014, 10.10.2015, 12.12.2016, 8.3.2017 and 14.12.2021 but till date, those applications have not been considered and decided. He contends that petitioner is entitled to receive appointment against sanctioned and vacant posts on compassionate grounds according to the existing policy. He further contends that direction may be issued by Bank authorities to take the decision expeditiously.
- 3)** On the other hand, learned counsel appearing for the respondents submits that petitioner's father died on 9.3.2012 and on the said date, policy (Ex. R/1) dated 13.3.2012 was in existence which provided for payment of ex - gratia lump sum amount in lieu of appointment on compassionate grounds. He further submits that respondent-Bank in pursuance to the policy dated 13.3.2012 made payment of lump-sum ex - gratia amount of Rs. 8 lakhs to the petitioner on 17.9.2012 which was accepted without any protest. He contends that applications moved by the petitioner were never received by the bank authorities and this petition filed after ten years deserves to be dismissed on the ground of



delay and latches.

4) I have heard learned counsel for the parties and perused the documents placed on the record.

5) Admittedly, father of the petitioner, who was working under the respondent authorities died in harness on 9.3.2012 and respondent authorities made payment of lump-sum ex-gratia amount of Rs. 8 lakhs to the petitioner on 17.9.2012 in lieu of appointment on compassionate grounds in accordance to the policy dated 13.3.2012. In para-7 of writ petition, it is contended that there is no delay in filing this petition. Be that as it may, since the death of government servant occurred on 9.3.2012, cause of action arose in the year 2012 whereas the daughter of the deceased employee has preferred this petition seeking compassionate appointment in the year 2022, i.e. after delay of long 10 years.

6) In the matter of **State of Maharashtra and another Vs. Ms. Madhuri Maruti Vidhate**¹, Hon'ble Supreme Court held at paragraph Nos. 7 & 8 as under :

"7. Thus, as per the law laid down by this Court in the aforesaid decisions, compassionate appointment is an exception to the general rule of appointment in the public services and is in favour of the dependents of a deceased dying in harness and leaving his family in penury and without any means of livelihood, and in such cases, out of pure humanitarian consideration taking into consideration the fact that unless some

1. AIROnLine 2022 SC 471



source of livelihood is provided, the family would not be able to make both ends meet, a provision is made in the rules to provide gainful employment to one of the dependents of the deceased who may be eligible for such employment. The whole object of granting compassionate employment is, thus, to enable the family to tide over the sudden crisis. The object is not to give such family a post much less a post held by the deceased.

7.1. Applying the law laid down by this Court in the aforesaid decisions to the facts of the case on hand, to appoint the respondent now on compassionate ground shall be contrary to the object and purpose of appointment on compassionate ground. The respondent cannot be said to be dependent on the deceased employee, i.e., her mother. Even otherwise, she shall not be entitled to appointment on compassionate ground after a number of years from the death of the deceased employee.

8. Under the circumstances and in the facts and circumstances of the case narrated hereinabove, the Tribunal as well as the High Court have committed serious error in directing the appellants to appoint the respondent on compassionate ground. The judgment and order passed by the Tribunal confirmed by the High Court directing the appellants to consider the case of the respondent for appointment on compassionate ground after a number of years is unsustainable."

7) The Hon'ble Supreme Court in the matter of **Punjab State Power Corporation Limited and others Vs. Nirval Singh²**, it has been held at paragraph Nos. 7 to 9 as under :

"7. In our view there is more than one impediment in the way of the respondent.

2. (2019) 6 SCC 774



8. The first is the delay in approaching the Courts for redressal after a period of 7 years even if he is making representations. The very objective of providing immediate amelioration to the family is extinguished. The second is that the earlier policy having been abolished and the new policy having coming into force, the application has been considered under the new policy and the options available were offered to the respondent who failed to avail of the same.

9. Our attention has been drawn to the relevant clause of the new policy which reads as under:

"The above policy instructions shall be applicable from the date of issue of instructions. The cases, where compassionate employment has not been given due to discontinuance of the earlier policy since 4/2002, shall also be considered and requisite relief, in lieu compassionate employment, shall be granted as per above policy instructions."

8) Furthermore, the applications moved by the petitioner do not contain any mark of receipt and petitioner has not placed any postal receipt on record to establish that applications were moved before respondent authorities. In the present case, petitioner's father died on 9.3.2012 and this petition has been filed on 17.2.2022. The very object of providing compassionate appointment is to ameliorate the condition of the family at the relevant time and same has been achieved as the family has already survived for such a long period. Further, the Hon'ble



Supreme Court of India has ruled that compassionate appointment is a way to provide immediate financial assistance to families who have experienced sudden hardship, therefore, I do not find any good ground to interfere into the matter.

9) Consequently, the instant petition fails and is hereby **dismissed.**

No order as to cost(s).

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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