

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 19413/2025
CNR: RJHC021064792025 | URN: CW / 43451U / 2025

Shri Kanhaiya Lal (Presently Unemployed) S/o Late Raghunath Prasad, (Ex-Gdsmc R/o Post Kudan, Beri) Aged 39 Years, District Sikar, Rajasthan - 332031

-----Petitioner

Versus

1. Union Of India, Through Secretary, Ministry Of Communications, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. The Chief Post Master General, Rajasthan Circle, Jaipur, Rajasthan - 302007.
3. The Superintendent Of Post Offices, Sikar Division, Sikar, Rajasthan - 332001.

-----Respondents

For Petitioner(s)	:	Mr. Hardik Mishra
For Respondent(s)	:	Mr. Bharat Vyas, ASG with Mr. Rakesh Choudhary

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA
Order

22/07/2026

1. The present writ petition has been filed by the petitioner challenging the order dated 15.09.2025 passed by the Central Administrative Tribunal, Jaipur Bench, Jaipur (for short, 'Tribunal') in Original Application No.170/2022, whereby the Original Application filed by the petitioner was dismissed.
2. Heard learned counsel for the parties and perused the material available on record.
3. The brief facts of the case are that the petitioner's father, Late Raghunath Prasad Sharma, was serving as a Gramin Dak Sevak

(G.D.S.) Mail Carrier (M.C.) at Post Beri, District Sikar, Rajasthan. He passed away on 20.04.2011 and thereafter, the petitioner submitted an application to the Circle Relaxation Committee (for short, 'C.R.C.') seeking appointment on compassionate grounds. The said application was assessed as per the applicable guidelines issued by the Directorate General of Posts. Upon assessment, the C.R.C. found that the petitioner had secured 33 points on a scale of 100, which was below the prescribed minimum cut-off of 50 points. Consequently, vide Communication dated 18.12.2012, the C.R.C. did not recommend the petitioner's case for appointment on compassionate grounds.

3.1 Subsequently, the Ministry of Communications, Department of Posts (GDS Section), vide letter dated 30.05.2017, introduced a revised scheme for engagement of dependants of deceased G.D.S. employees on compassionate grounds, *inter alia*, dispensing with the points-based assessment system.

3.2 Thereafter, vide Office Memorandum (for short, 'O.M.') dated 05.03.2020, it was decided that, as a one-time measure, the Committee on Compassionate Engagement (for short, 'C.C.E.') would review the cases that had been rejected during the period from year-2005 to May-2017. The petitioner's case was also found to be covered under the category of cases eligible for such review.

3.3 Pursuant to the issuance of the aforesaid O.Ms. dated 30.05.2017 and 05.03.2020, the petitioner submitted a representation dated 18.11.2021, requesting the respondents to review his case for compassionate engagement. Vide communication dated 16.12.2021, the respondents informed the petitioner that his case had been considered by the C.C.E. on 30.12.2020 and that, since he did not possess the minimum prescribed educational qualification as on

30.12.2020, his case had not been recommended by the C.C.E. for compassionate engagement.

3.4 Thereafter, the petitioner addressed another representation dated 07.03.2022 to the respondents, which was replied vide letter dated 30.03.2022, whereby the respondents informed that the review contemplated under the O.M. dated 05.03.2020 was a one-time exercise. Consequently, no further action was warranted for any review of his case for compassionate engagement.

4. Aggrieved thereby, the petitioner filed the Original Application seeking quashing of the rejection order dated 30.03.2022 and also sought direction to the respondents to consider his case for compassionate engagement in light of the O.Ms. dated 30.05.2017 and 05.03.2020.

4.1 The learned Tribunal, after considering the pleadings of the parties and evaluating the material available on record, vide the impugned order dated 15.09.2025, rejected the petitioner's application observing that the petitioner did not possess the prescribed educational qualifications on the relevant date, as provided in the O.M. dated 08.03.2019. The learned Tribunal further, regarding granting of opportunity to update the educational qualifications, held that the review contemplated under the O.M. dated 05.03.2020 was a one-time exercise and the subsequent O.M. dated 20.06.2025 could not be relied upon by the petitioner for seeking a fresh review, as his case had already been considered on 30.12.2020 in accordance with the rules applicable at that time.

4.2 The learned Tribunal while deciding the Original Application, placed reliance on **Fertilizers and Chemicals Travancore Ltd. & Ors. Vs. Anusree K.B.**, reported in **2022 SCC Online SC 1331**, wherein

the Hon'ble Supreme Court observed that compassionate appointment is an exception to the general rule and no aspirant has a right to compassionate appointment. The appointment on compassionate ground can be made only on fulfilling the norms laid down by the State's policy and/or satisfaction of the eligibility criteria as per the policy. The norms prevailing on the date of the consideration of the application should be the basis for consideration of claim for compassionate appointment.

5. Being aggrieved by the rejection of the aforesaid Original Application by the learned Tribunal, the petitioner has approached this Court by way of the present writ petition.

5.1 Learned counsel for the petitioner has advanced the same submissions as were raised before the learned Tribunal.

6. It is undisputed that, initially, in the year 2011, the petitioner had secured 33 points out of 100, which was far below the minimum requirement of 50 points. The said position was communicated to him vide letter dated 18.12.2012. Subsequently, pursuant to the revision of the criteria for compassionate appointment, whereby the point-based system was dispensed with, and in terms of O.M. dated 05.03.2020, the respondents decided, as a one-time measure, to review such cases. Upon reconsideration, the petitioner was again found ineligible for compassionate appointment for want of the requisite qualification, which was communicated vide order dated 16.12.2021.

7. Learned counsel for the petitioner has not disputed the fact that, as on the date of reconsideration of his application, the petitioner did not possess the requisite qualification.

8. At this juncture, learned counsel for the petitioner submitted that, subsequent thereto, the petitioner has acquired the minimum requisite

qualification and, therefore, the respondents may be directed to reconsider his case. The said submission is devoid of merit for following reason; firstly, no such ground has been raised in the writ petition and secondly, the eligibility qualification for appointment to any post has to be determined with reference to the relevant date. In the present case, it is an admitted position that, on the date of review pursuant to the O.M. dated 05.03.2020, the petitioner did not possess the requisite qualification.

9. In the aforesaid circumstances, the rejection of the petitioner's claim cannot be said to be illegal. We, therefore, find no illegality in the action of the respondents.

10. We further find that the learned Tribunal examined the matter in the light of the guidelines applicable at the relevant point of time and, after considering all the submissions, rightly rejected the Original Application. The impugned order, therefore, does not suffer from any patent illegality, perversity or jurisdictional error.

11. Accordingly, the present writ petition, being devoid of merit, stands dismissed.

12. All pending application(s), if any, also stand disposed of.

(SANDEEP TANEJA),J

(INDERJEET SINGH),J