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C.A.No. 2424 OF 1999
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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2424 OF 1999@@
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Visakhapatnam Steel Plant .. Appellant
thro. M.D.

Vs.

Perla Nala Maharaju .. Respondent

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Respondent filed a Writ petition in the High Court seeking for a direction to the appellant to appoint him in a suitable post on compassionate ground due to the demise of his father. The High Court noticed that policy formulated in Circular No. 25/90 would not be applicable to the respondent because the same could be applied only in cases where the employee meets with fatal accident arising out of and in the course of his/her employment. In this case, however, the deceased employee did not die in the course of his employment. In the circumstances, the Circular in question could not be applied and there was no other policy available to show that the respondent could be accommodated in any employment. However, the High Court stated that the bread winner of the family having died, his case should be considered on compassionate grounds without reference to the Circular in question.

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The High Court could not have formulated a policy for the appellant nor it could have given a direction to give any employment to the respondent on compassionate grounds, when no such policy was available with the appellant. We allow this appeal, set aside the order made by the High Court and dismiss the Writ petition filed by the respondent.

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[S. RAJENDRA BABU]@@
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[RUMA PAL]@@
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New Delhi,@@
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November 8, 2001.@@
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ITEM NO. 112 COURT NO.6 SECTION-XIIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO.2424/1999

Visakhapatnam Steel Plant thro. .. Appellant (s)
M.D.

Vs.

Perla Nala Maharaju .. Respondent(s)
(With office report)

DATE : 8.11.2001 : This/These matter (s) was/were
called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MRS.JUSTICE RUMA LAL

For Appellant (s) : Mr. V.R. Reddy, Sr. Adv.
Mr. P.S. Sudheer, Adv.
Mr. Sunil Murarka, Adv.

For Respondent (s) : Mr. D. Mahesh Babu, Adv.(NP)

UPON hearing counsel the Court made the following
O R D E R

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The appeal is allowed in terms of the signed order.

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(Meenu Sethi)
Court Master

(Om Prakash)
Court Master

Signed order is placed on the file