IN THE HIGH COURT OF JHARKHAND AT RANCHI

WP(S) No.5634 of 2025

Sugan Kumari, daughter of Late Hari Munda and late Lahri Munda (mother), resident of village Jonha, PO Tatisilway, PS Angarha, District Ranchi, Jharkhand **… Petitioner(s).**

Versus

1.The Central Coalfields Limited through its Chairman cum Managing Director, having its office at & PO Darbhanga House, PS Kotwali, District Ranchi
2.The Director Personnel, Central Coalfields Limited, having its office at & PO Darbhanga House, PS Kotwali, District Ranchi
3.The General Manager (P&IR), Central Coalfields Limited having its office at & PO Darbhanga House, PS Kotwali, District Ranchi
4.The General Manager, Barka-Sayal Area, Central Coalfields Limited, At Sayal 'D' PO Sayal, PS Patratu, District Ramgarh, Jharkhand
5.The Project Officer, Saunda 'D' Colliery, Central Coalfields Limited, at and PO Saunda 'D', PS Bhurkunda, District Ramgarh.
6. The Personnel Officer, Saunda 'D' Colliery, Central Coalfields Limited, At and PO Saunda 'D' PS Bhurkunda, District Ramgarh

… Respondent(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Nand Kishore Pd. Sinha, Advocate
For the CCL : Mr. Anupam Shandilya, Advocate
Mr. Rahul Kumar, Advocate

……..

02 /08.10.2025: Heard the parties.

2. The learned counsel for the petitioner submits that the petitioner has applied within time but the respondents have not given any appointment to the petitioner.

3. Facts of this case is that the petitioner's mother was an employee of Central Coalfields Limited who had died on 23.06.2003 in harness.

4. Now we are in 2025. Twenty two years the petitioner has survived after the death of the bread winner. Delay defeats the claim for compassionate appointment.

5. The Hon'ble Supreme Court in the case of "**State of West Bengal Vs. Debabrata Tiwari & Ors.**" reported in **2023 SCC OnLine SC 219**, at para-32, held as hereunder:-

> 32. On consideration of the aforesaid decisions of this Court, the following principles emerge:
>
> i. That a provision for compassionate appointment makes a departure from the general provisions providing for appointment to a post by following a particular procedure of recruitment. Since such a provision enables appointment being made without following the said procedure, it is in the nature of an exception to the general provisions and must be resorted to only in order to achieve the stated objectives, i.e., to enable the family of the deceased to get over the sudden financial crisis.
>
> ii. Appointment on compassionate grounds is not a source of recruitment. The reason for making such a benevolent scheme by the State or the public sector undertaking is to see that the dependants of the deceased are not deprived of the means of livelihood. It only enables the family of the deceased to get over the sudden financial crisis.
>
> iii. Compassionate appointment is not a vested right which can be exercised at any time in future. Compassionate employment cannot be claimed or offered after a lapse of time and after the crisis is over.
>
> iv. That compassionate appointment should be provided immediately to redeem the family in distress. It is improper to keep such a case pending for years.
>
> v. In determining as to whether the family is in financial crisis, all relevant aspects must be borne in mind including the income of the family, its liabilities, the terminal benefits if any, received by the family, the age, dependency and marital status of its members, together with the income from any other source.

6. After twenty two years of the death of an employee, the petitioner who is the son, is approaching this Court for grant of compassionate appointment. The delay of twenty two years, (no matter who was responsible for it) has definitely defeated the claim of compassionate appointment. The family of the deceased has definitely tied over the immediate financial crisis. The family has survived for this long twenty two years. When the family has survived for twenty two years, now no compassion remains.

7. This writ petition stands **dismissed**.

(ANANDA SEN, J.)

08.10.2025
Tanuj/CP-2