APHC010616322005

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-65
[3506]

WRIT PETITION NO: 15529 of 2005

Syed Khajamohiddin, Vijayawada, ...Petitioner

Vs.

Central Warehousing Corporation, New Delhi ...Respondent

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Advocate for Petitioner: Mr.B SURYANARAYANA KUMAR

Advocate for Respondent: Mr.G SAI NARAYANA RAO

CORAM : SRI JUSTICE CHALLA GUNARANJAN

DATE : 19th June 2026

ORDER:

Present writ petition is filed questioning the action of respondent Corporation in not granting compassionate appointment in favour of petitioner, to be arbitrary, illegal, unjust and unconstitutional and to direct the respondent to provide one such compassionate appointment in appropriate suitable post with the respondent Corporation.

2. Petitioner's father had worked in the respondent Corporation as Dusting Operator. He died in harness on 19.06.1994, leaving behind wife and three daughters and son. Since petitioner was minor, his mother made a request for compassionate appointment in favour of petitioner. Application in proper proforma was submitted on 01.10.1997, however, the same stated to have been refused since petitioner was

found to be minor then. At one point of time, the respondent Corporation inclined to consider the case of petitioner's mother for compassionate appointment, however, she had merely shown interest to secure such appointment in favour of petitioner alone. Subsequently, the respondent Corporation, by communication, dated 16.04.2003, rejected yet another representation of petitioner on the ground that the respondent Corporation since had implemented V.R.S. and was in the process of cutting down its employee strength, it was found to be not feasible to accommodate any compassionate appointment. In that background, petitioner preferred present writ petition.

3. Heard Mr.B.Suryanarayana Kumar, learned counsel for the petitioner and Mr.G.Sai Narayana Rao, learned counsel for the respondent Corporation.

4. Learned counsel for the petitioner, while reiterating the contents of the affidavit filed in support of the writ petition, would urge to issue appropriate direction to respondent Corporation for consideration of petitioner's case for compassionate appointment. It is urged that as petitioner's father died in harness and that the family was completely dependent on him, the application made by petitioner seeking for compassionate appointment deserve the consideration.

5. *Per contra*, learned counsel for the respondent Corporation would contend that, in fact, the respondent Corporation was willing to consider the case of petitioner's mother for compassionate appointment at relevant point of time, however, as family of the deceased insisted such appointment to be made in favour of petitioner, who then was minor, such request could not be accommodated, as it was against the policy. He further contended that as on today, there is no policy in vogue to consider the present case under compassionate grounds.

6. On perusal of the pleadings and record available, it emerges that petitioner's father died in harness while in service. At relevant point of time, the respondent Corporation did had a scheme for compassionate appointments. Since petitioner was only a minor then, the request to accommodate him in employment meted in negative. It would have been in the interest of the family of the deceased, had they sought for employment to one of the eligible family members at relevant point of time, in as much as, wife and one daughter of deceased were eligible. For reasons best known, the family of deceased did not choose to avail such opportunity. It is well settled now that one cannot, as a matter of right, claim compassionate appointment, particularly, when there is no such scheme in operation. Due to efflux of time, now, the family of deceased has moved on and settled in their lives at different levels. When there is no scheme as such to even consider the claim of

petitioner for compassionate appointment, this Court cannot compel the respondent Corporation to extend any such benefit.

7. In view of the aforesaid circumstances, this Court does not find any merit in the writ petitioner and is, accordingly, dismissed. No order as to costs.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

JUSTICE CHALLA GUNARANJAN

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