



**Serial No.04**  
**Regular List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

WP (C) No.540/2018

Date of Order: 04.02.2019

Ravi Koch Vs. State of Meghalaya & ors

**Coram:**

**Hon'ble Mr. Justice Mohammad Yaqoob Mir, Chief Justice**

**Appearance:**

For the Petitioner/Appellant(s) : Mr. R Sharon, Adv

For the Respondent(s) : Mr. A Kumar, Advocate General with  
Ms. R Colney, GA

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

**ORAL:**

1. The case set up by the petitioner is that his father (Late) Digendra Koch had joined Meghalaya Police on 01.07.1998. He died on 17.07.1999 while he was deputed for operational duty at Shillong, West Khasi Hills District. The petitioner has applied for compassionate appointment in the year 2017 after a lapse of 18 years. His application has been considered and rejected as has been conveyed to him vide communication No.PER(AR) 21/2011/831 dated 24.05.2018 wherein it has been mentioned that in terms of Department's O.M. No.PER(AR) 154/78/147 dated 11.12.1984, the application for employment on compassionate ground had to be submitted within one year from the date of premature death of the Government servant or from the date of acquiring necessary educational qualification. The father of the petitioner died in harness in the year 1999. Petitioner submitted his application on 23.03.2017 after a lapse of 18 years. The case of the petitioner being time barred, proposal for compassionate appointment has not been agreed to.

2. Learned Advocate General has rightly pointed out that there is no rules or regulations in place which would provide for considering the



application for compassionate appointment after a lapse of 18 years. That apart, compassionate appointment has an object of providing livelihood to the family. When a family has survived for 18 years, claim for benefit on compassionate appointment, itself losses significance.

3. According to learned counsel for the petitioner, the petitioner at the time of the death of the deceased was a minor but has admitted that the petitioner has passed 10+2 in the year 2011 but has applied only in the year 2017.

4. Having regard to the governing O.M. dated 11.12.1984 as referred to above and the fact of the death of the deceased in the year 1999, there is no scope for entertaining this petition after a lapse of 18 years. Compassionate appointment admittedly is a departure from normal rules of appointment but same has laudable object of saving the deceased's family from crisis and financial complications. Here in the instant case, the family has survived for 18 years.

5. Learned counsel for the petitioner was pointedly asked to show any rule or regulation which would provide for considering his application for appointment on compassionate ground even after a lapse of 18 years. He could not submit or refer to any rule or regulation.

6. For the stated reasons, petition being without merit is dismissed.

**(Mohammad Yaqoob Mir)**  
**Chief Justice**

Meghalaya

04.02.2019

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