

**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPEAL NO.1593 OF 2020**  
**(Arising out of SLP (C) No.18457 of 2019)**

STATE OF MADHYA PRADESH & ORS.

Appellants

VERSUS

GAJENDRA SINGH KAILWA

Respondent

**O R D E R**

Leave granted.

This appeal arises out of the judgment and order dated 13.07.2018 passed by the High Court of Madhya Pradesh, Bench at Indore, in Writ Appeal No.434 of 2017.

By the impugned judgment, the High Court has directed to provide appointment in favour of the respondent on compassionate ground.

Records reveal that Shri Manohar Singh was an employee of the appellants. He had two wives, namely, Smt. Krishnabai and Smt. Angoorbala Bai. Gajraj Singh son of Krishnabai is already employed with the Government.

The respondent herein, namely, Gajendra Singh Kailwa, i.e. son of late Manohar Singh son through Angoorbala Bai also seeks appointment subsequently on compassionate ground by contending that Gajraj Singh is not looking after the respondent and his mother financially.

Thus, according to the respondent, he is not getting any support from Gajraj Singh and consequently, he is entitled to be appointed independently on compassionate ground. Such a contention cannot be accepted.

Learned Deputy Advocate General submits that Gajraj Singh is now 13 years of age.

Be that as it may, the Scheme for Compassionate Appointment provides one appointment after the death of the original employee if the family is really financially suffering. Since, Gajraj Singh being step-brother of the respondent Gajendra Singh Kailwa who is already employed with the Government, the respondent cannot be considered for appointment on compassionate ground, particularly when there is no reliable material to prove the contention of the respondent.

We, therefore, allow this appeal and set-aside the impugned order. No costs.

.....J.  
[MOHAN M. SHANTANAGOUDAR]

.....J.  
[R. SUBHASH REDDY]

NEW DELHI;  
FEBRUARY 14, 2020

ITEM NO.41

COURT NO.12

SECTION IV-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.18457/2019

(Arising out of impugned final judgment and order dated 13-07-2018 in WA No.434/2017 passed by the High Court Of M.P. At Indore)

STATE OF MADHYA PRADESH &amp; ORS.

Petitioner(s)

VERSUS

GAJENDRA SINGH KAILWA

Respondent(s)

(IA No.106177/2019 - FOR EXEMPTION FROM FILING O.T.)

Date : 14-02-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR  
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Ms. Prachi Mishra, Adv./Dy. AG  
Mr. Chaitanya, Adv.  
Mr. Rahul Kaushik, AOR

For Respondent(s) Mr. Prabuddha Singh, Adv.  
Mr. Siddhant Gupta, Adv.  
Mr. M. P. Shorawala, AOR

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

Leave granted.

The appeal is allowed, in terms of the Signed Order.

Pending application(s), if any, shall stand disposed of.

(MUKESH NASA)  
COURT MASTER

(R.S. NARAYANAN)  
BRANCH OFFICER

(Signed Order is placed on the File)