



CIVIL

Kitchen Fire Or Windfall? The Allahabad High Court's Take On Compassionate Appointments

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PUBLISHED 15 April 2025

Introduction

Recently, the Allahabad High Court in the case of Chanchal Sonkar v. Chairman, State Bank of India^[1] made a significant observation regarding compassionate appointments, stating that they are not intended to create a windfall for the kin of the deceased but are only meant to keep the “kitchen fire burning”. This statement underscores the primary purpose of compassionate appointments, which is to provide immediate financial relief to the dependents of deceased employees facing unforeseen financial destitution.

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Background

The case in question involves Chanchal Sonkar, who sought a compassionate appointment following the death of her husband in 2022. Her husband was employed by the State Bank of India (SBI), and upon his death, Chanchal Sonkar applied for a compassionate appointment to alleviate the financial distress faced by her family, aiming to provide financial stability for her family. Her application was rejected by the SBI on the grounds that the family's monthly income was not less than 75% of the last drawn gross salary of the deceased. This assessment indicated that the family was not in financial hardship as per the criteria for compassionate appointments. Dissatisfied with the rejection, Chanchal Sonkar approached the Allahabad High Court, arguing that the financial criteria used by the SBI were incorrect and that her family was indeed facing financial difficulties.

Court's Observations

1. **Purpose of Compassionate Appointments:** The Allahabad High Court, in its judgment, reiterated that compassionate appointments are not intended to create a windfall for the kin of the deceased but are meant to provide basic financial support to keep the “kitchen fire burning.” This means the appointments are designed to alleviate immediate financial distress and not to confer undue benefits.
2. **Financial Hardship Criteria:** The Court emphasized that the family's financial condition must be assessed strictly according to the established criteria. In this case, the family's income was found to be above the threshold required for a compassionate appointment, leading to the rejection of Chanchal Sonkar's application.
3. **Overliberal Approach:** The Court warned against an overliberal approach in granting compassionate appointments, as it could undermine the merit-based recruitment process and potentially confer benefits to undeserving candidates.

Legal Framework and Criteria

The Allahabad High Court emphasized that compassionate appointments are an exception to the standard recruitment process and must be examined in light of the applicable law. The Court noted that an “overliberal approach” cannot be adopted in granting compassionate appointments, as it would undermine the merit-based recruitment process and potentially confer benefits to undeserving candidates.

The Court also highlighted the criteria for determining financial hardship, as outlined in Clause 5 of the Scheme for Compassionate Appointments of Payment of Ex gratia Financial Relief to dependents of deceased employees on Compassionate Grounds, 2022. According to this clause, a family is entitled to a compassionate appointment only if their income from all sources is less than 50% of the last drawn gross salary of the deceased where the dependent family is survived by only the spouse and/or one child. In all other cases, it should be less than 60%.

Implications of the Judgment

The judgment delivered by the Allahabad High Court has several important implications. Firstly, it reaffirms that compassionate appointments are not a right but a concession granted to alleviate immediate financial distress. Secondly, it sets a clear precedent that an over liberal approach in granting such appointments can lead to the denial of rights and lawful claims of eligible and meritorious candidates.

Moreover, the Court held that if compassionate appointments were granted as a matter of vested right, it would be against Articles 14, 15, and 16 of the Constitution of India, which guarantee equality before the law, prohibition of discrimination, and equality of opportunity in matters of public employment, respectively.

Conclusion

The Allahabad High Court's ruling highlights the delicate balance between providing necessary financial support to the dependents of deceased employees and maintaining the integrity of the recruitment process. Compassionate appointments are a vital mechanism to help families tide over sudden financial crises, but they must be granted judiciously and in accordance with established criteria. This judgment serves as a reminder that the primary goal is to keep the "kitchen fire burning," ensuring that families are not left destitute while also upholding the principles of fairness and merit in public employment. It is meant to provide immediate assistance to the family of a deceased employee who died in harness, not to create a hereditary employment system within government services

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[1] 2025 AHC 50709