

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2106 of 2015

Smt. Permawati Dubey W/o Late Anil Kumar Dubey, Aged About 30 years, Resident of Village & Post- Sonhat, Police Station-Sonhat, District- Korea (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health & Family Welfare Department, Mantralaya New Raipur, P.S.- Rakhi, District- Raipur (Chhattisgarh)
2. The Collector, Baikunthpur, District- Korea (Chhattisgarh)
3. The Chief Health and Medical Officer, Baikunthpur, District- Korea (Chhattisgarh)
4. The Block Medical Officer, Community Health Centre, Sonhat, District- Korea (Chhattisgarh)

---- Respondents

For Petitioner	Shri Bharat Rajput, Advocate
For Respondent/State	Shri P.K. Bhaduri, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/06/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. The petitioner is aggrieved by the impugned order, whereby the Chief Medical and Health Officer, District Korea (C.G.) has rejected his application for grant of compassionate appointment. The issue concerning grant of compassionate appointment is governed under the

circular issued by the State Government on 10.06.2003. Under the note appended to Clause 3 (1) of the said circular, it is provided that the term “deceased government servant” would mean such government servant, who died during regular employment. Admittedly, petitioner's husband was a daily wager and was not a regular government servant.

3. The petitioner's application has been rejected on the ground that the petitioner's husband not being a regular government servant, she is not entitled for compassionate appointment. In view of the clear and unambiguous provision contained in the note to Clause 3 (1) of the circular, the petitioner has rightly been held not entitled to compassionate appointment.
4. There is no substance in the writ petition, it fails and is hereby dismissed.

Sd/-

(PRASHANT KUMAR MISHRA)

JUDGE