

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition No. 375 of 2005

Bhagwandeem Mishra, aged about 24 years, S/o late Shri Brahmdev Mishra,
resident of village Namna kala, Post Ambikapur, District Suguja (C.G.)

---- Petitioner

Versus

1. The Union of India, Through the Secretary, Department of Personnel and Training, Khan marketing, New Delhi.
2. The State of Chhattisgarh, Through the Secretary Department of Electricity Mantralay, D.K.S. Building, Raipur.
3. The Chhattisgarh Electricity Board, Through its Secretary, C.S.E.B. Raipur (C.G.)
4. The State of Madhya Pradesh, through the Secretary, Department of Electricity, Vallabh Bhawa, Bhopal (MP)
5. The Executive Engineer, STM Division, CSEB, Ambikapur (C.G.)

---- Respondents

For Petitioner	:	Mr. Awadh Tripathi, Counsel
For Respondent No. 1	:	Mr. Bhunpendra Singh, Counsel
For Respondents No. 2,3 & 4	:	Mr. A. S. Gaharwar, Counsel

Hon'ble Shri Justice P. Sam Koshy

Order On Board

24/08/2015

1. The dispute in the present Writ Petition is a claim of compassionate appointment on account of the death of father of the Petitioner who died in harness on 22.07.2000.
2. The refusal on part of the respondent was on account of the fact that the Respondents No. 3 establishment was constituted subsequent to the formation of State of Chhattisgarh on 15.11.2000.

3. The counsel appearing for the parties submit that indisputably, a number of cases of similar nature have already been decided by this Court. A couple of which are in WPS No. 52/2015 Rakesh Kumar Dubey Vs State of Chattisgarh & Ors. and also on WPS No. 360/2015 Raja Ram Kosle Vs. Chhattisgarh Power Distribution Company & Ors. wherein this Court vide Orders dated 28.01.2015 as well as 08.04.2015 respectively have decided identical matters with the direction to the Respondent to consider the application of the Petitioner in accordance with the policy dated 30.01.1997, prevalent at the time of death of the deceased.
4. In view of the foregoing, the present Writ Petition is also allowed and disposed of in terms of orders passed by this Court in two writ petitions referred above.
5. Needless to mention that while deciding the claim application the authorities shall strictly consider the claim in accordance to the policy as it stood on 30.01.1997 and this Court has not expressed any opinion on the merits of the claim.

Sd/-
P. Sam Koshy
Judge