

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2487 of 2015**

- Smt. Anju Barman, W/o Late Shri Ram Kumar Barman. Aged About 27 years R/o Village & Post Mulmula Via Gopal-pur, Thana-Pamgarh, District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Govt. of Chhattisgarh, Through: The Secretary, Panchayat And Rural Development, Department Mantralaya, Mahandi Bhawan, New Raipur Chhattisgarh
2. The Collector, Janjgir Champa, District Janjgir Champa Chhattisgarh
3. The Chief Executive Officer Zila Panchayat Janjgir Champa, District Janjgir Chamapa Chhattisgarh
4. The Chief Executive Officer, Janpad Panchayat, Pamgarh, District Janjgir Champa Chhattisgarh

---- Respondents

For Petitioner	:	Shri SK Verma, Advocate
For Respondents/State	:	Shri YS Thakur, Dy. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****15/07/2015**

1. Petitioner's husband was working as Assistant Teacher (Panchayat). He died in harness on 29-11-2013, pursuant to which the petitioner moved an application for grant of compassionate appointment on a Class-IV post, for which the petitioner claims to be eligible.
2. By the impugned communication, the Chief Executive Officer, Zila Panchayat, Janjgir-Champa, has informed the petitioner that her prayer for

grant of compassionate appointment cannot be considered as the petitioner has not completed B.Ed./D.Ed. Certificate course and has not qualified Teacher Eligibility Test (for short 'TET') Examination.

3. Shri Verma, learned counsel for the petitioner would submit that petitioner's application for compassionate appointment was for the post of peon, a class-IV post, for which there is no requirement of completing B.Ed./D.Ed. Course or passing the TET examination.
4. Learned State counsel would submit that if this Court directs that petitioner's application shall be considered afresh, in accordance with law, the same shall be considered.
5. In view of the above, the writ petition is disposed of with a direction that Zila Panchayat, Janjgir-Champa shall consider petitioner's application for grant of compassionate appointment on a Class-IV post afresh within a period of three months from the date of submission of an application before the said authority along with the certified copy of this order.
6. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

Prashant Kumar Mishra

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