

माननीय उच्च न्यायालय छत्तीसगढ़ विभागाध्यक्ष (उ.ग.)

W.P. (S) No. 222 / 2015 (S.B.)

कन्दैयालाल सिंदर पिता स्व. रतनलाल सिंदर उम लगभग 34 वर्ष, निवासी- ग्राम सिरली तह. जैपुर, आना सक्ती, सिंदर व देव न्यु जिला- जांजगीर-बासपा उ.ग.

याचिकाकर्ता

विरुद्ध

छत्तीसगढ़ शासन द्वारा-

1. सवि,

पंचायत, ग्रामीण विकास एवं श्रम विभाग मंडालय, नयारायपुर उ.ग.

2. संचालक,

पंचायत संचालनालय छत्तीसगढ़

इंदरवती भवन, नया रायपुर उ.ग.

3. मुख्य कार्यपालन अधिकारी,

जिला पंचायत जांजगीर बाँपा

जिला जांजगीर बाँपा उ.ग.

4. मुख्य कार्यपालन अधिकारी,

जनपद पंचायत जैपुर जिला

जांजगीर बाँपा उ.ग.

5. विकास खण्ड शिक्षा अधिकारी,

कार्यालय विकास खण्ड शिक्षा

अधिकारी जैपुर जिला जांजगीर

बाँपा उ.ग.

6. कलेक्टर,

कार्यालय कलेक्टर जिला

जांजगीर बाँपा उ.ग.

उत्तरवादीगण

प्रादेश/रिट याचिका अंतर्गत अनुच्छेद

226/227 भारतीय संविधान।

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(19)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SB: Hon'ble Shri Justice Pritinker Diwaker

Writ Petition (S) No. 222 of 2015

PETITIONER

Kanhaiyalal Sidar

VERSUS

RESPONDENTS

State of Chhattisgarh and
Others

Shri Rajendra Kumar Patel, counsel for the petitioner.

Shri Rahul Tamaskar, P.L. for the State, on advance copy.

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF
INDIA**

**ORDER
(27.01.2015)**

With the consent of learned counsel for the parties, the matter is heard finally.

According to the petitioner, his brother, namely, late Tiharuram Sidar was working as Sikshakarmi and died in harness on 07.09.2000, but till date the petitioner has not been granted compassionate appointment by respondent No.4.

Counsel for the petitioner submits that purpose of filing this writ petition would be served if at this stage the petitioner is permitted to withdraw the writ petition and a direction is issued to respondent No.4 to decide the pending application of the petitioner.

Counsel for the State submits that the case of the petitioner is hopelessly barred by limitation and therefore this petition is liable to be dismissed on the ground of delay and laches. He submits that perhaps the petitioner would not be entitled for any compassionate appointment on account of the death of his brother but he has no objection if the application of the petitioner is decided by the competent authority if the same has not already been decided.

In the aforesaid view of the matter, the writ petition is dismissed as withdrawn with the aforesaid liberty and respondent No.4 is directed to decide the pending application of the petitioner, if already not decided, strictly in accordance with law.



It is made clear that this Court has not made any observation on the merits of the case and respondent No.4 would be at liberty to pass the order strictly in accordance with law.

Sd/-
Pritinker Diwakar
Judge

subbu

CONFIDENTIAL

