

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.5967 of 2014

Smt. Urmila Vishwakarma, W/o late Shri Mahesh Vishwakarma,
aged about 43 years, R/o Mishra Colony, Chindwara, Distt.
Chindwara, Madhya Pradesh

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Water Resources, Mantralaya, Mahanadi Bhawan, Naya Raipur (C.G.)
2. Engineer-in-Chief, Water Resources Department, Sihawa Bhawan, Raipur (C.G.)
3. Collector, Collectorate Office, Distt, Bijapur (C.G.)
4. Deputy Collector, Collectorate Office, Bijapur, Distt. Bijapur (C.G.)

---- Respondents

For Petitioner: Mr. Amrito Das, Advocate.
For State/Respondents: Mr. Ajit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

02/03/2016

1. The petitioner's husband died in harness on 15-9-2006 and the petitioner made application for compassionate appointment on 9-11-2006 within three months from the date of death of her husband. The petitioner's application for grant of compassionate appointment has been rejected by order dated 20-3-2012 holding it to be barred by limitation as it has not been filed within three months from the date of death of the deceased Government employee.

2. Letter dated 30-4-2007 (Annexure P-4) filed along with the writ petition issued by the Office of the Superintending Engineer to the Executive Engineer would show that the application for compassionate appointment has been filed right in time and the consideration of the same was on progress. Therefore, rejection of the petitioner's application on the ground of delay is totally unsustainable in law, rather it was within time.
3. Respondents No.2 and 3 are directed to consider the petitioner's application afresh on merits within three months from the date of receipt of a certified copy of this order.
4. Accordingly, the petition stands disposed of. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge