

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1013 of 2016

- Sanjay Saantra S/o Late Sodhan Saantra, Aged About 44 Years R/o Dharampura No. 1, Infront Of Ramkrishna Ashram, Jagdalpur, Civil & Revenue District Bastar Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Thorough The Secretary, Health And Family Welfare Department, Mantralaya, Raipur Naya Raipur, Civil & Revenue District Raipur Chhattisgarh
2. The Director, Health Services, Health And Family Welfare Department, Mantralaya, Raipur, Chhattisgarh
3. The Chief Medical And Health Officer, South Bastar, Dantewada, District Dantewada Chhattisgarh

---- Respondents

For Petitioner : Mr. Keshav Dewangan, Advocate
For Respondents / State : Mr. Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/06/2016

Heard.

1. Petitioner has challenged the orders rejecting the applications for grant of compassionate appointment.
2. The sister of petitioner namely Kumari Uma Saantara, who was working as health worker, died on 08.08.2000. In the year 2006, an application for compassionate appointment was filed by the petitioner, which was rejected vide order dated 23.05.2011 on the ground that as per the then existing policy, the petitioner was not included in the category of dependents. Thereafter, without challenging the same, another representation was filed, which was again rejected on 14.11.2011 on the ground that application is delayed.

3. The aforesaid two orders are under challenge before this Court by the instant petition, which has been filed in the year 2016.
4. Learned counsel for the petitioner submits that rejection of the application filed by the petitioner on the ground of delay is not justified, because the petitioner had earlier filed an application in the year 2006 which was rejected in the year 2011.
5. Irrespective of the correctness of the order which has been passed on 14.11.2011, it is found that earlier petitioner had moved application for compassionate appointment after more than 6 years. The first order rejecting the representation on 23.05.2011 shows that the petitioner was not found to be one of the dependents who could be granted compassionate appointment as per the then existing policy of compassionate appointment. The second representation filed by the petitioner was wholly misconceived in law because according to the policy of compassionate appointment, the application for compassionate appointment was to be filed within a period of 6 months from the date of death of Government servant.
6. In view of foregoing, the petition is without any substance and accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge