

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 5160 OF 2016

Sangeeta Sharma (Raidas), Wd/o Late Deepak Raidas, aged about 40 years, R/o Ward No. 1, Nagar Nigam Colony, Malviya Nagar, Post West Chirmiri, P.S. Pondi, Chirmiri, District Korea (C.G.)

... Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Nagariya Prashasn & Vikas Vighag, Mahanadi Bhawan, New Raipur, District Raipur (C.G.)
2. Director, Nagariya Prashasn & Vikas Vighag, Indrawati Bhawan, New Raipur, District Raipur (C.G.)
3. Commissioner, Municipal Corporation Chirmiri, District Korea (C.G.)
4. Chief Municipal Officer, Nagar Panchayat, Bhanupratappur, District Kanker (C.G.)
5. Chief Municipal Officer, Nagar Panchayat Bodla, District Kabirdham (C.G.)

... Respondents

For Petitioner	:	Mr. F.S. Khare, Advocate.
For Respondents 1 & 2	:	Ms. M. Asha, Panel Lawyer.
For Respondent 3	:	Mr. Sudeep Agrawal, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/11/2016

1. The grievance of the Petitioner in the present petition is the non-consideration of her case for grant of compassionate appointment by Respondent No.3.

2. According to the Counsel for the Petitioner her husband was substantially holding a post of Revenue Sub-Inspector and was posted as In-charge Chief Municipal Officer at Bodla, District Kabirdham when he died in harness on 26.1.2016. According to the Counsel for the Petitioner she had first moved an application for grant of compassionate appointment in the month of February, 2016 but since there was no response from the Respondents' side she again made a representation in the month of August, 2016, however she has not received any intimation in respect of her claim.

3. Counsel for Respondent No.3, Shri Sudeep Agrawal, has filed a reply wherein he has intimated that Respondent No.3 has already constituted a committee so as to consider the claim of the Petitioner for grant of compassionate appointment.

4. Today, during the course of arguments Counsel for Respondent No.3 has made a statement that he has received a telephonic instruction from Respondent No.3 that the committee so constituted has also considered the case of the Petitioner and has further recommended the case for grant of compassionate appointment to the Petitioner. He further submits that the recommendation of the said Committee shall now be placed before the Mayor-in-Council who in turn is to take appropriate decision subject to other formalities which are to be complied with and for this some time would be taken. Counsel for Respondent No.3 also submitted that since the case of the Petitioner has already been considered, nothing further remains to be adjudicated upon in the present writ petition.

5. At this juncture, Counsel for the Petitioner submits that the Respondents may be directed to take an appropriate decision in the case of the Petitioner at the earliest for the reason that she is finding it difficult to make her both ends meet by virtue of the sole bread earner having died 10 months back.

6. Without entering into the merits of the case regarding the entitlement of the Petitioner, in the opinion of this Court ends of justice would meet if the petition is disposed of with a further direction to Respondent No.3 to try to expedite the case of the Petitioner at the earliest and pass appropriate orders. It is also directed that Respondent No.3 shall take a decision in the case of the Petitioner positively within a period of three months from today.

7. It is made clear that this Court has not expressed any opinion on the merits of the case so far as her entitlement and eligibility is concerned. All that the Court has expressed is that an expeditious decision should be taken in the case of the Petitioner whether she is entitled for or not.

8. With the aforesaid observations, the writ petition is disposed of.

Sd/-
(P. Sam Koshy)
Judge

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