

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3575 of 2017**

Smt. Roshni Sengar W/o Chandrabhan Singh Sengar, Aged About 42 Years
 R/o Village & Post Kurud (Bhatapara), Ward No.14, P.S. Jamul, Tahsil And
 District Durg, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home (Police), Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. Director General Of Police, Police Headquarter, Naya Raipur, District- Raipur, Chhattisgarh
3. Assistant Inspector General (Administration), Police Headquarter, Naya Raipur, District- Raipur, Chhattisgarh
4. Superintendent Of Police, Durg, District Durg, Chhattisgarh

....**Respondents**

For Petitioner	:	Mr. R.S. Baghel, Advocate
For State	:	Mr. A.S. Kachhawaha, Additional A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board**

04/08/2017

Heard.

1. Learned counsel for the petitioner submits that the only ground to refuse the appointment on compassionate basis to the dependent of the deceased employee is that she happens to be the married daughter. According to the petitioner, though the petitioner is married daughter, she was dependent upon the deceased employee.
2. Whether a married daughter is entitled to compassionate appointment was considered by this Court in the case of **Smt. Sarojni Bhoi Vs. State of Chhattisgarh and others in WPS No.296 of 2014 decided on 30.11.2015**. In the case of Smt. Sarojni Bhoi (supra), it was held thus :

“**28.** Thus, from the aforesaid analysis, it emanates that institution of marriage is an important and basic civil right of man and woman and marriage by itself is not a disqualification and impugned policy of the State Government barring and prohibiting the consideration of the married daughter from seeking compassionate appointment merely on the ground of marriage is plainly arbitrary and violative of constitutional guarantee envisaged in Article 14, 15 and 16(2) of the Constitution of India being unconstitutional.”

3. The legal issue therefore having been settled, the respondents will be required to consider the petitioner's case for compassionate appointment. The petition is disposed off with a direction to consider afresh petitioner's case in the light of the judgment passed by this Court in the case of Smt. Sarojni Bhoi (supra) and take a decision within a period of three months from the date of receipt of copy of this order.

Sd/-
(Manindra Mohan Shrivastava)

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