

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3636 of 2017

Indrapal Meravi S/o Hamel Singh Aged About 47 Years R/o Village Amakhokha, District Kabirdham Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat Department Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh.
2. Secretary, General Administration Department, State Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh.
3. Collector, Kabirdham Chhattisgarh.
4. Chief Executive Officer, District Panchayat Kabirdham, District Kabirdham Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Badal Lal Bhardwaj, Advocate
For Respondents	:	Mr. Manish Nigam, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/08/2017

1. Present is the case where challenge is to the Annexure P/1 dated 26.05.2017, whereby claim of the petitioner seeking for compassionate appointment on the death of unmarried younger brother has been rejected.
2. The facts and brief is that the deceased Hem Singh Meravi was working as Assistant Teacher Panchayat, Government Primary School, Jhalmala, Block Bodla, who died on 01.12.2012, the petitioner is the elder brother of the deceased aged as on date 47 years. He had put a claim for compassionate appointment on the post of Assistant Teacher Panchayat. It is this claim which has been rejected vide impugned order dated 26.05.2017.
3. So far as compassionate appointment is concerned, it is by now well settled that the same is provided to meet the immediate financial crises which the family members of the deceased faces. The vary object of compassionate appointment basically is to ensure that the

widow and children of the deceased employee would have something to sustain themselves. It is to tide away a situation of penury which the family may suffer on the death of the bread earner.

4. In the instant case, admitted fact is that the petitioner is the younger brother of the deceased and that he is aged around 45 years he is already married and also have children with him and he has been taken care of them, which by itself sufficiently proves that he was not dependent upon the income of the deceased.
5. In the given factual matrix of the case, this Court is of the opinion that there is no illegality on the part of the respondent No.1 refusing or rejecting the claim of the petitioner seeking compassionate appointment.
6. Thus the writ petition being devoid of merits deserves to be and is accordingly dismissed.

7.

Sd/-
(P. Sam Koshy)
Judge

sumit