

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 1283 OF 2017

Ashwani Rao Chauhan, S/o Late Shri Shyamlal Chauhan, aged about 23 years, R/o Sarkanda, Front of State Bank, Near Radha Krishna Mandir, Bilaspur, Police Station Sarkanda, Tahsil and District Bilaspur (C.G.)

... Petitioner

Versus

1. The State of Chhattisgarh, through the Secretary, Department of Higher and Technical Education, Mantralaya, Mahanadi Bhawan, Naya Raipur (C.G.)
2. The Director, Employment and Training Directorate, Woman Polytechnic Campus, Bairan Bazar, Raipur, District Raipur (C.G.)
3. The Divisional Manager, Chhattisgarh Infrastructure Development Corporation (Transport Division), Divisional Office, Amanaka, Raipur, District Raipur (C.G.)
4. The Collector, Bilaspur, District Bilaspur (C.G.)
5. The Joint Collector, Bilaspur, District Bilaspur (C.G.)
6. The Principal, Government Engineering College, Bilaspur, District Bilaspur (C.G.)

... Respondents

For Petitioner	:	Mr. Roop Naik, Advocate.
For Respondent-State	:	Mr. Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/03/2017

1. Challenge in the present writ petition is to the order dated 16.11.2015 by which the claim of compassionate appointment of the Petitioner was rejected.
2. The rejection order was that the Petitioner does not have the minimum qualification for the post of Sikshak (Panchayat) and that the application was forwarded by the competent authority much beyond the period of limitation prescribed under the Government policy.
3. Counsel for the Petitioner at this juncture submits that the Petitioner had never applied for the post of Sikshak (Panchayat). The Petitioner was even willing to accept employment under Class-IV category taking into consideration the financial crisis that he faces in the light of death of the deceased employee.

4. Record does not show any such representation claiming for a post even under Class-IV category to have been attached along with the writ petition.
5. Be that as it may, this Court is of the opinion that the present writ petition may be disposed of, with a direction to the Petitioner to make a fresh representation to the Respondents categorically mentioning the fact that since the Petitioner does not fulfill qualification for the post of Sikshak (Panchayat) his candidature may be considered for employment under any Class-IV category.
6. Upon such a representation being made, Respondents No. 2 and 3, the authorities concerned, shall take into consideration the relevant policy for compassionate appointment applicable in the State of Chhattisgarh and take an appropriate decision on the application so made by the Petitioner. Let this exercise be done as expeditiously as possible.
7. With the aforesaid observation, the present writ petition stands finally disposed of.

Sd/-
(P. Sam Koshy)
JUDGE