

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.5932 of 2016**

Smt. Ashwani Amila, wife of Bhuneshwar Prasad Amila, aged about 31 years, R/o. Village Fulgaon, Tahsil Manpur, District Rajnandgaon (C.G.)

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Chief Secretary, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Chief Executive Officer, Zila Panchayat Rajnandgaon District Rajnandgaon Chhattisgarh

---- **Respondents**

For Petitioner : Shri Vinod Kumar Sharma, Advocate.
 For State : Shri Prasun Bhaduri, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

23/01/2017

(1) This writ petition has been filed by the petitioner questioning the order dated 06.09.2016 passed by respondent No.2 i.e. Chief Executive Officer, Zila Panchayat, Rajnandgaon by which, the petitioner's application for grant of compassionate appointment has been returned to the Incharge Officer, Shiksha Karmi Branch, Jila Panchayat, Rajnandgaon.

(2) Learned counsel appearing for the petitioner would submit that the petitioner's application has not been considered and decided on the basis of notifications of State Government dated 30.08.2011 & 20.05.2014, which were still in force on the date of death of Shiksha Karmi as death occurred prior to 08th January,

2016 and, as such, her case for grant of compassionate appointment has to be considered and decided as per the circulars applicable on the date of death of Shiksha Karmi by the respondent authorities.

(3) Be that as it may, since the petitioner's applications for grant of compassionate appointment has not been considered by the respondent authorities till this date, respondent No.2 i.e. Chief Executive Officer, Jila Panchayat, Rajnandgaon is directed to consider the case of the petitioner for grant of compassionate appointment as per notifications applicable on the date of death of Shiksha Karmi and take a decision on its own merit, in accordance with law preferably within a period of two months from the date of receipt of a certified copy of this order along with representation of the petitioner.

(4) With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost (s).

Sd/-

(Sanjay K. Agrawal)
Judge

D/-