

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (S) No.6593 of 2016**

Bhuneshwari Sonkar, wife of Shri Ajay Markandey, aged about 23 years, resident of L.I.G.2/6 Badriya Vihar, Amalidih, Near Pani Tanki, Raipur, District Raipur (CG)

---- Petitioner**Versus**

- 1.** State Of Chhattisgarh Through the Secretary, Department of General Administration, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (CG)
- 2.** Chairman, C.G. Madhyamik Shiksha Mandal Pension Bada, Raipur, District Raipur (CG)
- 3.** Secretary, C.G.Madhyamik Shiksha Mandal Pension Bada, Raipur, District Raipur (CG)

---- Respondents

For Petitioner	:	Mr.Ajay Shrivastava, Advocate
For Respondent No.1	:	Mr. Gary Mukhopadhyay, Dy.G.A.
For Res.No.2 and 3	:	Mr.Animesh Tiwari, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/02/2017**

- 1.** The petitioner is married daughter of Smt.Asha Sonkar, who while working as Assistant Grade-III in the Chhattisgarh Madhyamik Shiksha Mandal, died in harness on 10.10.2016. The petitioner's application for compassionate appointment has been rejected on the ground that in the circular dated 30.8.2016 married daughter has not been included to be entitled for compassionate appointment.
- 2.** This Court in Smt. Sarojni Bhoi Vs. Sate of Chhattisgarh and others (WPS No.296 of 2014), decided on 30.11.2015 held

that married daughter is also entitled to be considered for compassionate appointment. The State Government acting upon the order of this Court issued circular dated 22.3.2016 and further clarified by circular dated 30.8.2016.

3. Therefore, the impugned order dated 23.11.2016 (Annexure P/2) is hereby quashed and it is held that married daughter is entitled for compassionate appointment subject to fulfillment of other conditions. Respondents No.2 and 3 are directed to reconsider the claim of the petitioner for being appointed on compassionate ground afresh in accordance with law keeping in view that her mother died on 10.10.2016 and her application was rejected on 23.11.2016, preferably within a period of forty five days from the date of receipt of certified copy of this order.
4. The writ petition is allowed to the extent indicated hereinabove. No order as to cost(s).

Sd/-

(Sanjay K.Agrawal)
Judge

B/-