

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 998 of 2013**

Deen Dayal Jaiswal S/o Late Shri Ramadhar Jaiswal Aged About 32 Years R/o Village Ghoghari, Post Basin, Police Station And Tahsil Malkharouda, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Water Resources, Mahanadi Bhawan, Mantralaya, Raipur, District Raipur, Chhattisgarh
2. Chief Engineer Hasdev Kachhar Department Of Water Resources Bilaspur District : Bilaspur, Chhattisgarh
3. Executive Engineer Water Resources Department Raigarh Division, District : Raigarh, Chhattisgarh
4. Sub Divisional Officer Department Of Water Resources, Sub-Division Raigarh District : Raigarh, Chhattisgarh
5. The Collector Raigarh, District : Raigarh, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Anil Mourya, Advocate Mr. Shashi Kushwaha, Advocate
For State	:	Mr. R.K. Gupta, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****20/08/2018**

1. The challenge in the present writ petition is to the order (Annexure P/1) dated 18.10.2012, whereby the claim for compassionate appointment has been rejected.
2. Perusal of the impugned order would show that the rejection of the petitioner's claim for compassionate appointment was on the ground that the father of the petitioner was not a government employee.
3. In paragraph No. 8.2 of the writ petition itself the petitioner has stated that the father of the petitioner was a daily wager, this by itself establishes the fact that he was not a government employee.

4. Moreover, the scheme for compassionate appointment applicable in the State of Chhattisgarh clearly reflects that the benefit of compassionate appointment shall not be extended to the legal heir of a daily wage worker.
5. Though the petitioner tried to submit that the petitioner's father was a contingency paid employee and the scheme for compassionate appointment is applicable upon the contingency paid employee, but the petitioner could not produce any material, with which it could be established that the father of the petitioner in fact was a contingency paid employee, rather in his pleadings itself the petitioner has referred the status of his father as a daily wage worker.
6. Given the facts, the rejection of the petitioner's claim for compassionate appointment on the ground of his father not being a government employee cannot be found fault with and there is no scope of any interference left to the said impugned order.
7. The petition being devoid of merit thus deserves to be and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
Judge