

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 2337 of 2018

Smt.Madhvilata D/o Late Shri Sadanand Rao Kamalkar W/o Limesh Rao, aged about 29 years, R/o Bathena Basti, Talab Par, Dhamtari, Tahsil and District Dhamtari (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, Through – The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Naya-Raipur, District Raipur (C.G.).
2. The Collector, Dhamtari (C.G.).
3. Sub Divisional Officer (Revenue), Kurud, District Dhamtari (C.G.).
4. Additional Tahsildar, Up-Tahsil Bhakhara, District Dhamtari (C.G.).

---Respondents

For petitioner	:	Shri Kaushal Yadav, Advocate.
For State	:	Ms.Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/03/2018

1. The present petition has been filed seeking for issuance of direction to the respondents to consider the case of the petitioner for grant of compassionate appointment.
2. The claim of the petitioner is that, her father had died in harness on 13/05/2013. Her mother is residing with her and who is dependent upon the petitioner. Her brother also lives separately and therefore it is only the petitioner who could have take care of the mother.
3. The contention of the counsel for the petitioner is that though she had moved a representation, but the respondents have not decided the said representation till date.

4. In view of the aforesaid factual matrix of the case, this Court is of the opinion that ends of justice would meet if a direction is given to the respondent No.2 to consider the representation of the petitioner and the petitioner is also at liberty to move a fresh representation if they so want to the respondent No.2 giving details of her claim and the Collector in turn may decide the application within a period of 90 days from the date of receipt of the representation and copy of this order.

5. Needless to mention that, this Court has not expressed any opinion on merits so far as entitlement of the petitioner is concerned. The competent authority shall look into the claim of the petitioner and decide the same in accordance with the merits keeping in view whether the claimant was infact dependent of the deceased or there were other person in the family on whom the petitioner is dependent.

6. With the aforesaid observation, the Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit