

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.2676 of 2018

Suman Mishra D/o D/o Late Shivnandan Prasad Mishra Aged About 29 Years R/o Smriti Van Road, In-Front Of Urja Park, Rajkishore Nagar, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh.
2. Commissioner- Cum- Director, Directorate, Panchayat, Naya Raipur District- Raipur, Chhattisgarh.
3. Collector, Bemetara, District Bemetara, Chhattisgarh.
4. Collector, Bilaspur, District Bilaspur, Chhattisgarh.
5. Deputy Director (Panchayat), Bilaspur, District- Bilaspur, Chhattisgarh.
6. Chief Executive Officer, Janapad Panchayat, Bilha, District- Bilaspur, Chhattisgarh.

---- Respondents

For petitioner	:	Shri CJK Rao, Advocate.
For State	:	Shri Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/03/2018

1. The grievance of the petitioner is that inspite of the fact that father of the petitioner died in harness on 11.10.2015 and the petitioner having immediately moved an application on 24.11.2015 for compassionate appointment, his application has not been considered by the respondents till date.
2. The counsel for the petitioner submits that even if it is a case where the department does not have vacancy while considering the case of the petitioner, the policy of the State Govt. is that the Head of the Department should forward the matter to the concerned Collector, who, in turn, shall consider whether there is availability of post in any other department where appointment can be provided to the petitioner to

mitigate the immediate need of the family of the deceased employee.

3. Given the facts and circumstances of the case, this court is of the opinion that ends of justice would meet if the petition is disposed of with a direction to the respondent No.2 to ensure that the case of the petitioner is considered at the earliest and in case if it is found that there is no post available for the petitioner to be accommodated where the deceased employee was working, the respondents shall take all necessary recourse available under the policy of the State Govt. in respect of compassionate appointment dated 14.06.2013, wherein Clause 15.10 deals with such a situation.
4. It is expected that the respondent No.2 shall process and proceed with the case at the earliest and the case of the petitioner shall be decided with equal promptness.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-

(P.Sam Koshy)
Judge