

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.3125 OF 2018**

Kausar Fatima Usmani D/o D/o Late Bafati Hussain Usmani, Aged About 27 Years R/o Rahman Gali, Patharguda, Jagdalpur, District- Bastar, Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. The Chief Conservator Of Forest, Jagdalpur Circle, District- Bastar, Chhattisgarh.
3. The Divisional Forest Officer, Forest Division, Sukma, District- Sukma, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Vikas Shrivastava, Advocate.
For Respondents	:	Shri Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

01/05/2018

1. The challenge in the present writ petition is to the rejection of claim for compassionate appointment by the respondents.
2. The rejection of the candidature of the petitioner was on the ground that the mother of the petitioner was already in government employment and therefore she is not entitled for compassionate appointment.
3. The contention of the petitioner is that on the date of death of the deceased employee i.e. on 17.11.2006 there was no condition of being disqualified for compassionate appointment on the ground of other family members being in government service. However, a perusal of records particularly the scheme of the compassionate

appointment dated 10.06.2003 which was subsequently modified on 04.11.2006 would reveal that such clause was also there in the scheme itself. Moreover, the other feature which goes against the petitioner is the fact that the petitioner is a married daughter of the deceased employee. In addition, the mother of the present petitioner i.e. wife of the deceased employee is already a government employee and is working as Assistant Grade II in the office of the Divisional Commissioner, Bastar at Jagdalpur.

4. Given the aforesaid facts and circumstances of the case, this court is of the opinion that there is no illegality or perversity on the part of respondents in rejecting the claim application of the petitioner for grant of compassionate appointment.
5. Accordingly, the writ petition stands dismissed.

Sd/-
(P. Sam Koshy)
Judge