

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.347 of 2018**

Smt. Vimla Devi, W/o late Jaipal Ram, aged about 45 years, R/o Mahuapara, Fundurdihari, Ambikapur, District Surguja (CG).

---- Petitioner**Versus**

1. State of Chhattisgarh, through Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Raipur (CG).
2. Chief Conservator of Forest, Ambikapur, District Surguja (CG).
3. Van Mandal Adhikari, Koriya Van Mandal, Baikunthpur, District Koriya (CG).

--- Respondents

For Petitioner : Mr. Shakti Raj Sinha, Advocate
 For State : Mr. Sangharsh Pandey, Deputy Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

11/01/2018

(1) Learned counsel appearing for the petitioner would submit that merely by referring to the order dated 15.07.2013, the petitioner's application for grant of compassionate appointment has been rejected by respondent No.2 on 04.12.2017 by non-speaking and unreasoned order whereas rejection of application has a civil consequence which ought to have been passed by speaking and reasoned order.

(2) Learned counsel appearing for the State would support the impugned order.

(3) I have heard learned counsel appearing for the parties and perused the impugned order with utmost circumspection.

(4) By the impugned order dated 04.12.2017, the application filed by the petitioner for grant of compassionate appointment has been rejected by respondent No.2 by merely giving reference to the order of civil court, which is neither speaking nor reasoned order, therefore, application for grant of compassionate appointment cannot be rejected in such a casual manner and as such in the interest of justice, it would be expedient to set aside the impugned order. Accordingly, the impugned order is hereby set aside. The matter is remitted back to the Chief Conservator of Forest, Ambikapur to hear the petitioner and to consider the entire facts of the case and pass speaking and reasoned order expeditiously.

(5) With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

L/-