

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6171 of 2018

1. Smt. S. Bhanuwati W/o Late Shri M. Krishna Rao Aged About 51 Years
2. M. Mohan Rao S/o Late Shri M. Krishna Rao Aged About 23 Years
Both are R/o Ward No. 2, Sai Nath Colony, Kota, Civil And Revenue District Raipur, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Forest Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Chief Conservator Of Forest Raipur, Chhattisgarh.
3. Additional Principal Chief Forest Conservator (Adm.) Arang Bhawan, New Raipur, District Raipur, Chhattisgarh.
4. Collector Mahasamund District Mahasamund, Chhattisgarh.
5. Division Forest Officer Forest Division District Mahasamund, Chhattisgarh.

---Respondents

For Petitioners	:	Ms. Binu Sharma, Advocate
For State	:	Mr. Dheeraj Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/11/2018

1. The present writ petition is for a direction to the respondents to consider the claim of the petitioner for grant of compassionate appointment.
2. The facts leading to the filing of the present writ petition is that the husband of the petitioner No.1 and the father of the petitioner No.2 was the employee who was working under the respondents on the post of Forest Guard. The said employee namely M. Krishna Rao died in harness on 08.01.2002. Subsequent to the death of the deceased employee, the petitioner No.1 had initially filed an application for compassionate appointment, but no decision was taken by the respondents on the claim of the petitioner No.1.

Meanwhile the petitioner No.2 moved a fresh application for considering the claim of the petitioner No.2 for compassionate appointment on the death of deceased employee with the consent of the petitioner No.1.

3. In spite of the petitioner No.2 having moved an application before the respondents way back in the year 2012, no decision till date has been taken by the respondents on either the application of the petitioner No.1 or the petitioner No.2. On 20.09.2018 this Court had asked the State Government to seek instructions and to file reply. The matter was taken up today, but the respondents have till date not filed a reply.
4. Considering the fact that the claim is for compassionate appointment and the claim of the petitioner, according to the petitioners, has till date not been decided, this Court is of the opinion that no fruitful purpose would be served in keeping the petition, rather ends of justice would meet if a direction is given to the respondent No.2 as well as the respondent No.5 to ensure that the claim of the petitioners is considered and an appropriate decision is taken in accordance with the scheme for compassionate appointment prevailing on the date of the death of the deceased employee, at the earliest preferably within a period of 60 days from the date of receipt of the copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge