

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6287 of 2018**

Manoj Kumar Bhandari S/o Late Shri Satrugan Singh Bhandari,
Aged About 27 Years, R/o Village And Post Chikhlakasa,
Mathura Nagar, Ward No. 11, Police Station Dalli Rajhara, Tahsil
Daundi, District Balod, Chhattisgarh.

---Petitioner**Versus**

1. State Of Chhattisgarh, Through Its Secretary, Department Of School Education, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh.
2. Director, Office Of The Directorate, Department Of Education, Indrawati Bhawan, Atal Nagar District Raipur, Chhattisgarh.
3. District Education Officer (D. E. O.), Office Of The District Education Officer (D. E. O.) Balod, District Balod, Chhattisgarh.
4. Block Education Officer (B. E. O.), Officer Of The The Block Education Officer (B.E.O.) Daundi, District Balod, Chhattisgarh.

---Respondents

For petitioner : Shri Abhishek Pandey, Advocate.
For State : Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

25/09/2018

1. The challenge in the present Writ Petition is to the order of the respondent/State Government whereby the claim of the petitioner for compassionate appointment has been rejected on the ground that, the mother of the petitioner is in Government employment.
2. The present Writ Petition has been filed on the basis of judgment passed by this Court in the case of ***Sulochana Netam v. State of Chhattisgarh & Ors. [WPS No. 2728/2017 decided on 23/11/2017]***.
3. This Court is of the opinion that the same judgment cannot be applied in a straight jacket formula in the present case for the reason that, the said judgment was a case where the brother of the

claimant was in Government employment and in the present case it is the mother who is in Government employment.

4. The very object of the compassionate appointment is to ensure that, the family is not put to a stage of penury or they do not face financial crisis on the death of the deceased employee.

5. In the instant case, since the father and mother both were in Government employment and the father having expired, the mother still being in Government employment, the present petitioner would be dependent directly to the mother who is in Government employment and as such they would not be put to a stage of financial constraint.

6. Therefore, the judgment of this Court passed in the case of Sulochana Netam (Supra) may not come to the rescue of the petitioner.

7. Thus, this Court does not find any strong ground made out for interfering with the decision of the State Government in granting compassionate appointment to the petitioner on the ground that his mother already being in Government employment.

8. The Writ Petition thus fails and is accordingly dismissed.

Sd/-

(P. Sam Koshy)
JUDGE