

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7250 of 2018**

Kiran Kumar Raj S/o Late Shri Premcharan Gond, Aged About 25 Years, R/o Qtr No.856/A Sector 5, Balco Korba, District - Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District - Raipur, Chhattisgarh
2. District Education Officer, Korba, District - Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Sanjay Pathak, Advocate
For State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****01.11.2018**

The claim of the petitioner though is for a direction to the respondents to consider the representation, the actual grievance of the petitioner is that the petitioner has been appointed as a peon on compassionate ground vide order dated 11.06.2018 on the death of his father who died in harness.

2. Contention of the counsel for the petitioner is that while granting appointment the petitioner was offered the post of peon which under the compelling circumstances he had accepted the same. The petitioner subsequently moved an application for suitable appointment against any Class-III post for which he is entitled and eligible. Initially it was not granted

to him on account of there being non-availability of vacancy.

3. Perusal of the record would show that the petitioner has been given appointment on 11.06.2018 which the petitioner on his own volition has accepted without any complaint or objection. Having once accepted the offer of appointment made on compassionate ground and having joined the service, this Court is of the firm view that the claim put forth by the petitioner cannot subsequently be accepted for the reason that the Scheme does not provide conversion from Class-IV to Class-III or from one category to another category neither does any of the Rules or the circulars of the State Govt. provide for the same. The object of compassionate appointment is to provide immediate support to the family which has lost the earning member and the petitioner was promptly granted the same which the petitioner had accepted.

4. Given the said facts, this Court is of the view that the petitioner has not been able to make out a case for issuance of any sort of direction to the respondents in this regard. The writ petition therefore fails and is accordingly dismissed.

**Sd/-
P. Sam Koshy
Judge**