

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7726 of 2018

Laliya Bai Dahariya Wd/o Late Lakhan Lal Dahariya Aged About 36 Years R/o Village Amarpur, Tahsil - Pendra, District - Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Tribal Welfare, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh.
2. District Education Officer District - Bilaspur, Chhattisgarh.
3. Block Education Officer Block Pendra, District Bilaspur, Chhattisgarh.
4. Sub Divisional Officer Janpad Panchayat Pendra, District Bilaspur, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Yogeshwar Sharma, Advocate
For State	:	Mr. R.N. Pusty, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/11/2018

1. The dispute in the present writ petition is the non-consideration on the part of the respondents so far as the claim of the petitioner for compassionate appointment.
2. The counsel for the petitioner submits that the husband of the petitioner working as a Shiksha Karmi Grade-III died in harness on 30.04.2014. The petitioner immediately thereafter raised an application for compassionate appointment on 18/19.09.2014, but till date no decision has been taken.
3. According to the petitioner, she has been repeatedly called by the authorities concerned and has been intimated that her claim application is under process, but till date no decision has been taken.

4. Given the nature of dispute and the fact that no final order has been passed by the authorities on the claim of the petitioner, this Court is of the opinion that ends of justice would meet if the writ petition is disposed off with a direction to the respondent No.2 to consider and decide the claim of the petitioner for grant of compassionate appointment in accordance with the scheme and circulars that were applicable on the date of the death of the deceased employee.
5. Let this exercise be concluded within a period of 90 days from the date of the receipt of the copy of this order.
6. At this juncture, the counsel for the petitioner also submits that on the death of the deceased employee certain dues that were payable to the petitioner (widow of the deceased employee) has also till date not been released.
7. Given the said facts, let the respondent No.2 also scrutinize the records and verify whether any dues have still not been paid to the petitioner, which fell due to her on the death of the deceased employee. In case, if any dues are yet to be paid, let that also be finalized within the period of 90 days' time which has been granted by this Court.
8. With the aforesaid observations, the present writ petition stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved