

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8004 of 2018**

Deepak Naidu S/o Late Kumar Swami Naidu Aged About 32 Years R/o
36/321, Near Chhattisgarh College, Bairan Bazar- Raipur, Chhattisgarh.,
District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Education Department, Mahanadi Bhawan,
New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. General Administration Department Mahanadi Bhawan, New Raipur,
Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer Raipur, Chhattisgarh., District : Raipur,
Chhattisgarh
4. Directorate Of Public Instruction Department New Raipur, Chhattisgarh.,
District : Raipur, Chhattisgarh
5. Block Education Officer Dharseeva, District- Raipur, Chhattisgarh., District :
Raipur, Chhattisgarh

---- Respondents

For petitioner	:	Shri Amit Sharma, Advocate.
For State	:	Ms. Sunita Jain, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/12/2018**

1. The claim of the petitioner is for a direction to the respondents to consider the claim for compassionate appointment. The facts of the case is that the petitioner was working as a Head Mistress grade-III at the Government Girls Middle School, Chotapara, Raipur. She died in harness on 01/11/2010. The petitioner moved an application for compassionate appointment for compassionate appointment, same has till date not been finalized though Annexure (P-1) reflects that the case of the petitioner was considered on an earlier occasion but because of pendency of the a criminal case where the petitioner was prosecuted for the offence punishable under Section 294, 323, 506, 354 (34 of the IPC), his case was differed by seeking certain clarifications vide P-1 dated 19/09/2011. Subsequently, the petitioner filed a fresh representation in the light of the decision of the judicial Magistratr first class, Raipur dated

27/09/2017 whereby giving the benefit of doubt the petitioner has been acquitted from the charges. According to the petitioner a fresh application so given has been forwarded by the Director, Public Instructions vide correspondence dated 07/06/2018. However, No final decision has till date been taken on this fresh representation.

2. Given the said facts this Court is of the opinion that ends of justice would meet if the present writ petition is disposed off at this juncture directing the respondent No. 3 to take an appropriate decision in accordance with the rules and regulations governing the field on compassionate appointment. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioner is concerned. The authority concerned would be at liberty to decide the same in accordance with the scheme of compassionate appointment applicable.

3. Accordingly, the writ petition stands allowed and disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Rohit