

**HIGH COURT OF CHHATTISGARH, BILASPUR****WRIT PETITION (S) NO. 8316 OF 2018**

1. Geeta Nand D/o Lt. Shri Goverdhan Nand, aged about 42 years, R/o Village – Kena, Post Chattigirola, Development Block : Saraipali, District Mahasamund, Chhattisgarh.

**...Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Department of School Education, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. State of Chhattisgarh, through the Secretary, General Administration Department, Mahanadi Bhawan, New Raipur, District Raipur (C.G.)
3. The Director, Directorate of Public Education, Indrawati Bhawan, New Raipur, District Raipur (C.G.)
4. The Collector, Mahasamund, District Mahasamund (C.G.)
5. The District Education Officer, Mahasamund, District Mahasamund (C.G.)

**... Respondent(s)**

|                      |   |                              |
|----------------------|---|------------------------------|
| For Petitioner       | : | Shri Animesh Verma Advocate. |
| For Respondent-State | : | Mr. Majid Ali, Dy. G.A.      |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****14.12.2018**

1. The writ petition has been filed seeking a direction to the respondents to consider the case of the petitioner for grant of compassionate appointment.
2. The facts of the case is that the father of the petitioner while working as a Headmaster in Pre Middle Government School, Paatsendri, Mahasamund died in harness on 20.06.2002 thereafter, the petitioner had moved an application for compassionate appointment and which according to the petitioner has till date not been decided. According to the petitioner, there has been a continuous correspondence made between the petitioner and the department and as such, the claim of the petitioner is under active consideration and, therefore, an appropriate direction be issued to the respondents. On a query being put to learned counsel for the petitioner,

he has fairly admitted the fact that when the father of the petitioner expired the petitioner was unmarried and was dependent upon the income of deceased employee. Subsequently, the petitioner has married and well settled. This very fact is itself sufficient for this Court in not entertaining this writ petition any further. The fact that the petitioner has subsequently got married, the claim for compassionate appointment ceases and she no longer remains dependent on the income of the deceased employee and she after her marriage becomes dependent on her husband. Only because at the time of death of deceased father she was unmarried and was dependent upon the income of her deceased father would not permit the petitioner to keep alive the claim even after her marriage. This Court only on this ground is not inclined to entertain and proceed with the writ petition.

3. Accordingly, the writ petition deserves to be and is hereby dismissed. Needless to state that rejection of the writ petition by this Court would not preclude the petitioner from pursuing her claim on the administrative side before the department.

Sd/-

(P. Sam Koshy)  
**Judge**