

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1055 of 2019**

Smt. Payal Patel D/o Late Shri Jaynarayan Verma Aged About 35 Years
W/o Shri Prabhat Patel, R/o Village Seepat, Police Station-Seepat, Tahsil
Masturi, Civil And Revenue District- Bilaspur, Chhattisgarh, At Present R/o
Quarter No. 106/1, N.T.P.C. Plant Road, Aagarkhar, Jamanipali, Korba,
Civil And Revenue District- Korba, Chhattisgarh., District : Korba,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- The Secretary, Public Works Department,
Mahanadi Bhawan New Raipur, Civil And Revenue District- Raipur,
Chhattisgarh., District : Raipur, Chhattisgarh
2. The Chief Engineer Public Works Department, Sirpur Bhawan Raipur, Civil
And Revenue District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. The Superinttendent Engineer Publice Works Department Bilaspur,
Division Bilaspur, Civil And Revenue District- Bilasupr, Chhattisgarh.,
District : Bilaspur, Chhattisgarh
4. The Sub Divisional Officer Public Works Department Sub Division No. 2
Bilaspur, Civil And Revenue District- Bilaspur, Chhattisgarh., District :
Bilaspur, Chhattisgarh
5. The Executive Engineer Public Works Department, Sub Division No.2
Bilaspur, Civil And Revenue District- Bilaspur, Chhattisgarh., District :
Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Parasmani Shriwas, Advocate
For State	:	Mr. Sameer Behar , PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/02/2019**

1. The present petition has been filed assailing the order dated
30/12/2017 whereby the claim for compassionate appointment
moved by the petitioner stood rejected.

2. The facts relevant for consideration is that the father of the petitioner namely Jai Narayan Verma was working as a Time Keeper under the respondents died in harness on 18/07/2017. After the death of the deceased employee the petitioner in the capacity of daughter has applied for compassionate appointment, the same stood rejected vide impugned order (Annexure P-1) dated 30/12/2017. While rejecting the claim of the petitioner, respondents took note of the fact that the brother of the petitioner is already in Government employment in as much as the brother is working in the Railway Department.
3. On perusal of the records, it reveals that the petitioner as on date is the married daughter of the deceased employee. The marriage took place much before the deceased employee had died. It would be relevant at this juncture to take note of the fact that though the State Government has amended the policy for compassionate appointment by including married daughter also as claimant entitled for being considered but that does not absolve the claimant to establish her dependency upon the deceased employee.
4. Unless there is specific pleading of the claimant of being dependent on the deceased, simply being a married daughter by itself would not give rise right for claiming compassionate appointment. The purpose of providing compassionate appointment is to ensure that the legal heirs of the deceased employee are not put to a stage of penury on the death of the deceased employee or the bread earner in the family. Compassionate appointment is not to be considered as another source of recruitment, the same is enacted to ensure that the

needy persons of lost employee's who would face dire consequences if not supported by providing compassionate appointment.

5. In the instant case since the petitioner is already married and is staying with her husband, the marriage also not having been dissolved neither the petitioner has been declared the deserted, this Court finds it difficult for grant of appropriate direction to consider the case of the petitioner for compassionate appointment.
6. Though the ground raised by the respondents that of the brother of the petitioner being in Government employment, this Court leaves that issue open to be considered, in an appropriate case as of now and holds that the petitioner in the given set of facts is not entitled for any relief nor does impugned order under challenge warranting any interference.
7. The writ petition therefore fails and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
Judge