

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1241 of 2019

Kuntima Porte D/o Late Itwar Singh Porte Aged About 24 Years R/o Village Juhli Post Sothi Police Station Seepat Tahsil Masturi District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Urban Administration And Development Mahanadi Bhawan Mantralaya Atal Nagar District Raipur Chhattisgarh.
2. Chief Executive Officer Janpad Panchayat Masturi District Bilaspur Chhattisgarh.
3. Block Development Officer Block Masturi District Bilaspur Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Virendra Verma, Advocate
For State	:	Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/02/2019

1. The limited prayer, which the petitioner has raised in the present writ petition is for a direction to the respondent No.2 to take a decision on the application for compassionate appointment moved by the petitioner.
2. The facts of the case is that the father of the petitioner late Itwar Singh Porte while working as a Panchayat Karmi at Village Panchayat Juhali, Tahsil Masturi, District Bilaspur, died in harness on 09.01.2009.
3. According to the petitioner, she was minor at the time of death of the father and she attained the age of majority in the year 2013,

thereafter she had immediately moved an application seeking compassionate appointment. Along with the application for compassionate appointment, she had enclosed No-objection of other family members including the widow of the deceased employee i.e. mother of the present petitioner, but till date no final decision has been taken by the respondents in respect of the claim of the petitioner.

4. Given the nature of dispute that the petitioner has raised, this Court is of the opinion that ends of justice would meet if the writ petition is disposed of with a direction to the respondent No.2 to take a decision on the application of the petitioner pending before the respondent No.2 for grant of compassionate appointment.
5. The respondent No.2 is expected to pass an order in accordance with the policy that was prevailing at the time of the death of the deceased employee. Let the respondent No.2 take a decision within a period of 4 months from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge