

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.1824 OF 2019**

1. Smt. Pooja Sharma W/o Late Bhupesh Sharma Aged About 25 Years R/o Village- Rawan, P.O. Rawan, P.S. Baloda Bazar, District- Baloda Bazar, Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Social Services, Mantralaya, Naya Raipur, Chhattisgarh.
2. Collector Bemetara, District- Bemetara, Chhattisgarh.
3. Chief Executive Officer Janpad Bemetara, District- Bemetara, Chhattisgarh.
4. Chief Executive Officer Zila Panchayat Bemetara, District- Bemetara, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Ms. S. Harshita, Advocate.
For Respondent-State	:	Shri Anshuman Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14.03.2019**

1. The grievance of the petitioner in this petitioner is that her application for compassionate appointment on the death of her Husband who died in harness on 02.06.2016 has till date not finalized.
2. The facts of the case is that, the Husband of the petitioner working as Shiksha Karmi Grade II (Teacher, Panchayat) died in a road accident on 02.06.2016. Immediately thereafter the petitioner moved an application for compassionate appointment on 09.08.2016. Document Annexure P/4 issued by the office of the respondent No.4 dated 19.08.2016 and that of the Block Education Officer dated 14.11.2017 would show that the case of the petitioner was not considered and the petitioner has been granted three years time for obtaining qualification of D.Ed/B.Ed certificate and T.E.T.
3. At this juncture counsel for the petitioner refers to the circular of the State Govt. dated 08.01.2016 (Annexure P/3) whereby the said requirement of granting appointment to the post of Assistant Teacher (Panchayat) on

compassionate ground was diluted to the extent that people who do not have the requisite qualification required for compassionate appointment to the post of Assistant Teacher (Panchayat) can be considered for appointment to the post of Gram Panchayat Secretary subject to their having cleared 12th examination.

4. The counsel for the petitioner submits that she is a 12th pass candidate and as such she is entitled to be appointed as Gram Panchayat Secretary and therefore the respondents at the earliest may consider the case of the petitioner for compassionate appointment on the post of Gram Panchayat Secretary and she has already given her consent for the post of Gram Panchayat Secretary. This circular of the State was in force on the date of death of the deceased employee and therefore it would also be equally applicable to the claim of the petitioner.
5. In view of the fact that the petitioner has already given her consent for being considered as Gram Panchayat Secretary, let the respondents No.3&4 take a decision within a period of four months on the claim of the petitioner for grant of compassionate appointment on the post of Gram Panchayat Secretary subject to her fulfilling the requisite eligibility criteria for the post of Gram Panchayat Secretary.
6. It shall be the responsibility of the petitioner to apprise the respondents No.3&4 so far as the order passed by this court is concerned.
7. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge