

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWA No. 233 of 2019

- Smt. Ekta Pendurwar D/o Late Shri Purshottam Padamwar W/o Ravi Pendurwar, Aged About 28 Years, R/o Near Maa Danteswari Temple, Kushalpur Road Raipur District Raipur Chhattisgarh.

---- Appellant

Versus

1. The State Of Chhattisgarh Through Its Secretary Department Of Water Resources, Mahanadi Bhavan New Raipur Chhattisgarh.
2. The Chief Engineer, Mahanadi Pariyajna Water Resources Department Raipur Chhattisgarh.
3. The Superintendent Engineer Mahanadi Mandal Water Resources Department Raipur Chhattisgarh.
4. The Executive Engineer Water Resources Department Raipur Chhattisgarh.
5. The Sub - Divisional Officer Water Resources Department Raipur, Water Management Sub - Division No. 3 Raipur Chhattisgarh.

---- Respondents

For Appellant	:-	Shri Akhilesh Kumar, Advocate
For Respondent-State	:-	Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Prashant Kumar Mishra, Ag. CJ

Hon'ble Shri Parth Prateem Sahu, J.

Judgment on Board

By

Prashant Kumar Mishra, Ag. CJ

25/04/2019

1. Appellant's writ petition challenging State Government's order dated 13.11.2018 denying facility of compassionate appointment to her has been rejected by the learned Single Judge on the ground that the State Government's policy governing issue for grant of compassionate appointment specifically holds that claim for compassionate appointment shall not be applicable to those candidates, where the other family members are in government service. It has also been rejected by the learned Single Judge for the reason that her father died in harness on 24.12.2007 but the application for grant of compassionate appointment was moved after about 10 years i.e. on 14.02.2017. The petitioner attained the age of majority in the year 2009 and thus the application was also moved after 8 years from the date of attaining the age of majority.
2. Considering the papers available in the file of the writ petition particularly the policy dated 10th June, 2003 filed as Annexure P-9 to the writ petition wherein clause 8 would specifically provide that when there is other government servant in the family the facility of compassionate

appointment is not admissible, we are not inclined to take any different view of the matter.

3. In view of clear and categorical provision in the policy itself petitioner's application was rightly rejected by the State Government, therefore, there is no need to interfere with the impugned order passed by the learned Single Judge.
4. In above terms appeal is dismissed.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge