

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4831 of 2019

Smt. Shanta Mahilang W/o Late Shri Pawan Kumar Mahilang, Aged About 36 Years, R/o Village Pathari, Post- Saleghori, Tahsil- Lormi, District- Mungeli, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mantralaya, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.- 492001
2. Collector, District- Mungeli, Chhattisgarh
3. Chief Executive Officer, Jila Panchayat Mungeli, District- Mungeli, Chhattisgarh

----Respondents

For Petitioner	:	Mr. S. P. Kale, Advocate.
For State	:	Mr. Jitendra Pali, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/07/2019

1. The grievance of the petitioner in the present writ petition is the non consideration of her claim for compassionate appointment by the respondents.
2. The facts of the case are that the husband of the petitioner was working as Shiksha Karmi Grade-II with the respondents and he died in harness on 07.11.2008. The petitioner moved an application for compassionate appointment on 31st July, 2009.

3. The record shows that the respondent authorities on 13th August, 2009 returned the application for compassionate appointment to the petitioner as it could not be considered on account of the petitioner not having the minimum educational qualification i.e. 12th pass for grant of compassionate appointment as Shiksha Karma Grade-III. The record also shows that the petitioner could have attained the qualification within a further period of 3 years. It appears that the petitioner has not obtained the qualification within the said period of 3 years. The petitioner completed her 12th Class in the year 2016 and thereafter she made another application for considering her claim for compassionate appointment on 01.07.2017. However, thereafter there is no decision taken by the respondents till date.
4. Given all the facts and circumstances of the case, let respondents 2 & 3 scrutinize the claim of the petitioner and pass a fresh order in accordance with the scheme for compassionate appointment applicable and an appropriate decision be taken at the earliest preferably within a period of 4 months from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge