

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.5151 OF 2019**

Deepak Kumar Verma S/o Late Narayan Prasad Verma Aged About 27 Years R/o Village and Post Janji, P.S. Seepat, District- Bilaspur, Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Home Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
2. Director General of Police Police Head Quarter, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
3. Inspector General of Police Bilaspur Zone Bilaspur, District- Bilaspur, Chhattisgarh.
4. Superintendent of Police Bilaspur, District- Bilaspur, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri C Jayant K Rao, Advocate.
For Respondent-State	:	Shri Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24.07.2019

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents to provide appointment to the petitioner on compassionate ground as Constable (G.D.).
2. The facts of the case is that, the father of the petitioner was working as Subedar-A (Auditor) under the respondents and who died in harness on 16.02.2015. An application for grant of compassionate appointment on behalf of the petitioner was filed on 25.05.2015. Along with the application, an affidavit was submitted by the mother of the petitioner so far as the claim of the petitioner is concerned and also No Objection Certificate on behalf of other family members and the fact that elder brother of the petitioner in the family all married and living separately.
3. During the course of proceeding, either side showed a document where it reflects that the case of the petitioner is under active consideration by the

respondents and an appropriate decision is likely to be taken at the earliest.

4. At this juncture, the counsel for the petitioner submits that the only apprehension that the petitioner has is that, since the brothers of the petitioner are in government employment, the respondents may refuse or reject his application on the said ground. He further contended that the said ground would not be a valid ground any further in the light of the judgment passed by this court in case of Sohan Lal Patel Vs. State of Chhattisgarh & Ors. decided on 06.10.2017 in WPS No.4383 of 2016.
5. The State counsel submits that the contention of the petitioner is too premature as on date as the case of the petitioner has till date neither finalized nor has been rejected and it is still under consideration.
6. Given the said facts and circumstances of the case, this court is of the opinion that ends of justice would meet if the respondents are directed to take a decision at the earliest preferably within a period of two months so far as claim of the petitioner for compassionate appointment is concerned.
7. It is made clear that, as regards the ground of the brothers of the petitioner being in employment, keeping in view the judgment of this court in Sohan Lal Patel (Supra), it is expected that the respondents would verify the aspect as to whether the brothers of the petitioner got married prior to death of the deceased employee or not and in case if they had married prior to the death of the deceased employee, then the judgment passed in Sohan Lal Patel (Supra) would attract in the case of the petitioner also.
8. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge