

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6208 of 2019

Smt. Shiv Kishori Shamra W/o Shri G. P. Sharma Aged About 39 Years
Unemployed, Residing At Qr. No. H / 77, New Barage Colony, Rudri, District
Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mantralaya, Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Engineer In Chief Water Resources Department, Sihawa Bhaan, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Collector, Dhamtari Chhattisgarh. 493773, District : Dhamtari, Chhattisgarh

---Respondents

For Petitioner	:	Mr. B.P. Rao, Advocate
For State	:	Ms. Sunita Jain, G.A.

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

19/08/2019

1. The claim of the petitioner in the present writ petition is for quashment of the impugned order Annexure P/19, whereby the claim for compassionate appointment has been rejected.
2. Perusal of the record shows that petitioner is the daughter of the deceased employee late Shri Madhavsharan Agrawal. The deceased employee died on 12.03.2003 while in service. On the date of death of the deceased employee, the petitioner herein was already married to Shri G.P. Sharma.
3. The contention of the petitioner is that since the respondents have modified the scheme for compassionate appointment and have also made it applicable for married daughter, therefore the case of the petitioner should had been considered accordingly.

4. There is no dispute so far as the scheme being modified, however what has to be seen is that on the date of death, whether the petitioner-the married daughter was dependent upon the deceased employee or not? In the instant case, there is no material as such shown that the petitioner was dependent upon the deceased employee. On the contrary it shows that the petitioner was already married on the date of death and she was staying along with her husband.
5. Under the circumstances, this Court is of the opinion that the petitioner would not have been entitled for the claim for compassionate appointment, even in the light of the amendment to the scheme for compassionate appointment being made.
6. The said writ petition therefore does not warrant any interference, the same stands dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved