

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 8422 of 2018

Smt. Rekha Bai W/o Ramesh Mahato (D/o Late Chhedilal), Aged About 22 Years, R/o Ward No. 25, Shanichari Padav, Harijan Colony, Bilaspur, District Bilaspur, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Commissioner, Municipal Corporation, Bilaspur, District Bilaspur, Chhattisgarh.

---Respondents

For petitioner	:	Shri Ajay Shrivastava, Advocate.
For State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/01/2019

1. The challenge in the present writ petition is to the order passed by the State Government refusing grant of compassionate appointment to the petitioner on the ground that the father of the petitioner is already in Government employment and is working in the Police Department.
2. The facts relevant for adjudication of the instant Writ Petition is that, the mother of the petitioner was working with the Municipal Corporation, Bilaspur. She died in harness on 14/08/2015. The father of the petitioner is working with the Police Department. The petitioner is a married lady. Initially, the petitioner had moved an application for compassionate appointment which stood rejected on the ground that she was a married lady.

3. Subsequently, in the light of the scheme amended by the State Government thereby including married daughter also for claiming compassionate appointment, the petitioner again moved an application which now has been rejected on 25/05/2016 on the ground that the father of the petitioner is in Government employment.

4. Nowhere in the Writ Petition has the petitioner mentioned that the petitioner was solely dependent upon the mother. Nowhere has she mentioned that she is not dependent on her husband to whom she got married long back.

5. Under the circumstances, on both grounds, the claim of the petitioner is not justifiable. Firstly, the petitioner already is a married daughter. It is not her contention that she has been divorced by her husband or she has been deserted by her husband. She has also not disclosed as to how she would had been dependent to her mother and not to her father.

6. Moreover, the father of the petitioner is already in Government employment i.e. in the Police Department and under the circumstances, the claim of the petitioner for compassionate appointment does not seem to be in any manner justified.

7. The object and purpose of providing compassionate appointment is to tied away the financial constraint that the family members of the deceased employee would face on the death of bread earner in the family.

8. In the instant case, there does not appear to be any such situation prevailing in the family.

9. For the above said reason, this Court is not inclined to entertain the Writ
Petition and the same deserve to be and is accordingly dismissed.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit