

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 428 of 2020

Roshni Xalxo D/o Francis Xalxo Aged About 34 Years R/o Ward No. 13, Lormi,
Tahsil Lormi, District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh through the Secretary, Revenue and Disaster Management Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. The Collector Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. The Tahsildar Kota, District Bilaspur, Chhattisgarh.

--- Respondents

For the Petitioner : Mr. Ajeet Kumar Yadav, Advocate

For the Respondent : Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.01.2020

1. The grievance of the petitioner is that the brother of the petitioner has died in harness on 10.06.2014. An application was filed on 12.09.2014 vide Annexure P-2 with affidavits of father and brother of the petitioner for providing compassionate appointment to the petitioner being dependent sister of the deceased brother. It is contended that despite such application having been filed within a reasonable time, no decision is being taken by respondents 2 & 3 i.e., Tahsildar or the Collector in that respect, therefore, respondents 2 & 3 may be directed to consider the application of the petitioner for compassionate appointment according to the Rules and Circular within a reasonable time.
2. A perusal of the record would show that on 10.06.2014 one Ajay Kumar Xalxo has died. Thereafter, Annexure P-2, an application was preferred which bears the endorsement of receipt dt.31.10.2014 from the office of Tahsildar, Kota.

The said application was supported by the affidavits of father and another brother of petitioner seeking compassionate appointment to the petitioner. Prima facie, it appears that the application was already preferred within a reasonable time i.e., within a period of 4 to 5 months from the date of the death of the deceased employee, therefore, the said application requires to be considered by the respondents.

3. Accordingly, it is directed that respondents 2 & 3 shall consider and decide the case of the petitioner for compassionate appointment within a period of 90 days from the date of receipt of this order.
4. With the above observation/direction, the writ petition accordingly stands disposed off.

Sd/-
(GOUTAM BHADURI)
JUDGE