

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2630 of 2020

- Tomeshwar Singh Rathour S/o Late Vikram Singh Rathour Aged About 21 Years R/o Vikas Nagar Sukma, District Sukma Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
2. Divisional Forest Officer Forest Division Sukma, District Sukma Chhattisgarh.

---- Respondents

For Petitioner : Shri Praveen Dhurandhar, Advocate.

For State/ Respondents : Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

10/07/2020

1. Heard.
2. The grievance of the petitioner is that the father of the petitioner namely late Vikram Singh Rathour, who was working as Forest Guard, died in harness on 27.09.2005. Subsequent to it the application for compassionate appointment was filed by the sister of the petitioner namely Amrita Singh on 08.06.2006. Thereafter, she got married and after that a communication was made by the office that she being minor cannot be appointed. It is contended that after marriage she (sister) started living at the matrimonial house and lastly the petitioner after attaining majority being the only son has filed the application for compassionate appointment on 06.07.2019 and the same is still pending.

3. Learned counsel for the petitioner would submit that the respondents, therefore may be directed to decide the application of the petitioner for compassionate appointment on the existing policy which was prevailing on the date of the death of the deceased in accordance with law.
4. Considering the limited prayer and after going through Annexure P-3 it appears that on the date of death i.e. 27.09.2005 applicant was minor aged about 6 years and now after attaining majority he has filed the application for compassionate appointment. Under the circumstances and further taking into the earlier communication dated 14.06.2006 when the prayer of minor children was not considered on the ground that she is minor, the petitioner as son as of now is qualified to apply being major. Taking into the fact that as of now since the petitioner has attained majority, it is directed that respondents may decide the pending application of the petitioner. Further taking into time as passed by the petitioner shall be at liberty to file a fresh application along with all the necessary documents and the copy of the order of this Court within a period of 3 weeks, thereafter the respondents shall decide the same within a period of 6 months from the date of receipt of a copy of the application.
5. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge