

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4043 of 2020

- Vinod Malik S/o Shri Madan Malik Aged About 36 Years R/o House No. 65/2, Ward No. 09, Pendra Dafai - 2, Manendragarh, District Koriya Chhattisgarh Pin Code - 497442.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration, Mantralaya, Mahanadi Bhawan, Nava Raipur, District Raipur Chhattisgarh Pin Code 492002.
2. Chief Municipal Officer Municipal Council, Manendrgarh, 1, Bus Stand Road, Manendragarh, District Koriya Chhattisgarh Pin Code 497442.

---- Respondents

For Petitioner	:	Shri K. Rohan, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

12.10.2020

1. Heard.
2. Learned counsel for the petitioner would submits that the mother of the petitioner Late Smt. Chanda Bai, who was working on the post of Sweeper in the Municipal Council, Manendragarh, District Koriya died in harness on 09.08.1996. He submits that at that time the petitioner was minor as his date of birth is 15.10.1984. He further submits that the petitioner attained the age of majority in the year 2002 and he cleared his class 5th examination in the year 2009. He further submits that subsequently the succession certificate was obtained which is issued by the Collector on 30.06.2010. Thereafter, the petitioner has applied for compassionate appointment on 26.09.2017 (Annexure P-5). The limited prayer of the petitioner is that Respondent No. 2 may be directed to consider the said application.
3. Learned State counsel opposes the argument.

4. Considering the limited prayer made by the petitioner, the petitioner is given the liberty to make afresh representation to Respondent No. 2 along with a copy of this writ petition and the other necessary documents within 4 weeks from today for consideration of the case of the petitioner for compassionate appointment. It is further made clear that this Court has not expressed any opinion on the right of the petitioner in respect of claim made by the petitioner and the claim of the petitioner for compassionate appointment shall be governed by the policy which is existing for grant of compassionate appointment. The representation so made shall be decided by the Respondent No. 2 within a further period of 6 months from the date of receipt of a copy of the representation.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)
Judge