

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10448 of 2019

- Smt. Tara Dilliwar Wd/o Late Dharendra Kumar Dilliwar Aged About 37 Years R/o Store Para Purena, Bhilai 3, Tahsil Patan, District Durg Chhattisgarh.

---- Petitioner

Versus

1. Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Atal Nagar Naya Raipur, District - Raipur Chhattisgarh
2. Collector, District Baloda Bazar - Bhatapara Chhattisgarh.
3. District Education Officer, Baloda Bazar - Bhatapara, District - Baloda Bazar - Bhatapara Chhattisgarh.
4. Block Education Officer, Block Bhatapara, District Bhatapara Chhattisgarh.
5. Chief Executive Officer , Zila Panchayat Baloda Bazar - Bhatapara, District - Baloda Bazar - Bhatapara Chhattisgarh.

--- Respondents

For the Petitioner : Shri Govind Dewangan with Ms. Mandavi
Bhardwaj, Advocates.

For the Respondents/ State : Shri Kapil Maini, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.01.2020

Heard.

1. The grievance of the petitioner is that the husband of the petitioner namely Late Dharendra Kumar Dilliwar who was working as a teacher (Panchayat) at Government Middle School Borsi, Bhatapara, Baloda Bazar, died in harness on 24.01.2017. It is contended that the petitioner being the wife was completely dependent on him and after his death, she filed an application with Respondent No. 4, Block Education Officer, Bhatapara on 20.02.2017 for compassionate appointment which ought to have been forwarded to the Collector to take a decision within a reasonable time. It is contended that the petitioner is not in

know of the fact that such application has been forwarded or not. It is further contended that the petitioner being the legal heir is entitled to get employment under the compassionate ground and prays that her application may be decided within a reasonable time.

2. Learned State counsel was directed to seek instructions but the instructions are still awaited.
3. Considering the nature of dispute and the document filed along with the petition, which shows that the petitioner is having certain qualification and the husband of the petitioner died in harness while he was in service which is not in dispute. The petitioner being the wife can very well apply for compassionate appointment according to the policy of the State. Annexure P-2 shows that the application has been filed by the petitioner. In view of this, it is directed that Respondent No. 4 shall forward the same, if it has not been forwarded to the office of the Collector Bilaspur and the Collector thereafter may decide the application of the petitioner for compassionate appointment within a reasonable time. It is expected that the application for compassionate appointment shall be decided within a outer limit of 90 days from the date of receipt of a copy of this order.
4. With the aforesaid observation, the petition stands disposed of.

Sd/-

(GOUTAM BHADURI)
JUDGE