

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1611 of 2021**

Lakshmi Prasad Kanwar S/o Jagat Ram Kanwar Aged About 50 Years R/o Ram Mandir Para Parsahibana, P. O. Padriya, Tehsil Akaltara, District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home, D. K. S. Bhawan, Mantralaya, Raipur Chhattisgarh 492001
2. Superintendent Of Police Janjgir Champa District Janjgir Champa Chhattisgarh

---- Respondents

For Petitioner	:	Mr. H.A.P.S. Bhatia, Advocate
For State	:	Mr. Sudeep Verma, Deputy G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

22/03/2021

1. The petitioner in the present writ petition has prayed for the following reliefs:

“10.1. That, the Hon'ble High Court may kindly be pleased to issue a writ, order or direction in the nature of mandamus directing the respondent No.2 to decide the petitioner's representation which is still pending before the respondent No.2 for the grant employment on compassionate grounds or to consider the petitioner for the same, in the ends of justice.

10.2. That, the Hon'ble High Court may kindly be pleased to grant any other alternative, additional writ in favour of the petitioner including the cost of the petition, and in the ends of justice.”

2. The whole issue in the present writ petition arises on the death of the son of the petitioner namely Tarun Kumar Kanwar, who was working on the post of Constable, died in harness on 11.06.2020.

3. Perusal of the pleadings of the petitioner itself would show that the deceased was having his own family and his widow and children are still alive.
4. Given the said facts, any claim for compassionate appointment or the release of death-cum-retiral benefits would first fall upon their widow and children first before being allotted/released to any other legal heirs of the deceased.
5. In view of the same, this Court does not find any strong case made out by the petitioner calling for issuance of any writ to the respondents in this regard. The writ petition accordingly fails and is rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved