

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 2271 OF 2021**

- Shweta Sahare, W/o Late Ravi Kumar Sahare, aged about 29 years, R/o Nayapara, Sirgitti, Bannad Chowk, near Gayatri Vidhya Mandir, Bilaspur, District Bilaspur (CG) ... **Petitioner**

versus

1. State of Chhattisgarh, through the Secretary, Department of Education, Mahanadi Bhawan, New Mantralaya, Atal Nagar, Raipur, District Raipur (CG)
2. District Education Officer, Dantewada, District Dantewada (CG)
3. Block Education Officer, Dantewada, District Dantewada (CG)
4. Collector, Dantewada, District Dantewada (CG)
5. Superintendent of Police, Dantewada, District Dantewada (CG)
6. Station House Officer, Police Station- Kotwali, Dantewada, District Dantewada (CG)
7. Sunil Sahare, S/o Late Shyam Ji Lal Sahare, aged about 42 years, R/o near Durga Mandir Chowk, Block Colony, Ward No.12, Dantewada, District Dantewada (CG) ... **Respondents**

For Petitioner : Ms. Rajni Soren, Advocate.

For Respondent/State : Mr. Rahul Jha, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/06/2021**

1. The matter is listed on default which stands ignored as of now.
2. Heard finally at the admission stage itself with the consent of learned Counsels appearing for their respective party.
3. Aggrieved by the action on the part of Respondent-State in granting compassionate appointment to Respondent No.7 who is the brother of deceased employee, the present Writ Petition has been filed by Petitioner.
4. Petitioner claims that she is legally wedded wife of deceased employee, Late Ravi Kumar Sahare, who died in harness working on the post of Peon under the Respondent - State Government.
5. Contention of learned Counsel for Petitioner is that the Petitioner being legally wedded wife of the deceased employee, her claim for compassionate appointment has been ignored by the Department and the benefit of same has

been granted to the brother of the deceased employee, i.e., the brother-in-law of Petitioner.

6. Today, when the matter is taken up for hearing, learned Counsel for Petitioner submits that the Petitioner has also raised certain representations/objections before the Department so far as the employment granted to Respondent No.7 is concerned and prays that as of now the Respondent-State may be directed to consider and decide the said representations/objections raised by Petitioner on its own merits after due verification of the facts, at the earliest.

7. To the limited prayer that Petitioner makes, learned Counsel for Respondent-State does not have any objection, except the fact that any decision would have to be strictly in accordance with the rules, regulations, guidelines and the policy governing the field.

8. Given the said submissions put forth on either side, the Writ Petition at this juncture is disposed of directing Respondents No.2 & 3 to promptly consider and decide the representations/objections that Petitioner has made, particularly in respect of her stand of being legally wedded wife of the deceased employee and her claim for compassionate appointment being ignored and being granted to her brother-in-law i.e. the brother of the deceased employee.

9. Let appropriate decision be taken by Respondents No.2 & 3 in this regard after due verification of the facts, at the earliest, preferably within a period of 90 days from the date of receipt of copy of this order.

10. Writ Petition accordingly stands disposed of with the aforesaid direction.

Sd/-
(P. Sam Koshy)
Judge

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