

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1809 of 2021**

1. Smt. Dhaneshwari Ratre W/o Late Shri Malik Ram Ratre, Aged About 51 Years, R/o House No. 38/480, Hemu Nagar, Torva, Bilaspur, Police Station Torva, Tahsil And District Bilaspur, Chhattisgarh
2. Pawan Ratre S/o Late Shri Malik Ram Ratre, Aged About 32 Years, R/o House No. 38/480, Hemu Nagar, Torva, Bilaspur, Police Station Torva, Tahsil And District Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home/Police, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh
2. Director General Of Police (DGP) Police Headquarters (PHQ), Near Mahanadi Mantralaya, Police Station And Post Rakhi, Atal Nagar, New Raipur, District Raipur, Chhattisgarh
3. Inspector General Of Police (Administration) Police Headquarters (PHQ), Near Mahanadi Mantralaya, Police Station And Post Rakhi, Atal Nagar, New Raipur, District Raipur, Chhattisgarh
4. Superintendent Of Police (S.P.), Office Of Superintendent Of Police Janjgir Champa, District Janjgir Champa, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Abhishek Pandey, Advocate
For State	:	Mr. Sudeep Verma, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.04.2021**

1. The grievance of the petitioners seems to be the action on the part of the respondents in not granting compassionate appointment to petitioner no.2 on the post of Assistant Sub Inspector (Ministerial).
2. The facts of the case are that the husband of petitioner no.1 and the father of petitioner no.2 working on the post of Inspector died in harness on 01.12.2018. Petitioner no.2 had applied for compassionate appointment. Petitioner no.2 is a qualified applicant having done B.E (Electronics and Telecommunication) and has also done PGDCA and also has NCC "A" Grade certificate with him. The authorities concerned after processing the application ordered for appointment of petitioner no.2 as a Constable GD. Petitioner no.2 on account of his educational qualification has moved a representation for the authorities to consider appointing petitioner no.2 on the post of ASI(M).
3. The contention of the counsel for the petitioners is that the pay scale of ASI(M) and Constable GD is same. Moreover, ASI(M) also is a Class III post and in the event of suitable candidates with required qualifications, appointment to Class-III cadre is permissible in the department. The further contention of the petitioners is that the respondents themselves in the past had granted appointment on compassionate ground to the qualified persons on the post of ASI(M).
4. Given the said facts, now that the respondents have found petitioner no.2 entitled for compassionate appointment, the only consideration is whether the appointment should be made on Constable GD or ASI(M) taking into consideration the qualifications of petitioner no.2. The representation of petitioner no.2 is already pending.
5. Given the said facts and circumstances of the case, the respondents 2 to 4 are directed to scrutinize the claim of petitioner no.2 and take an appropriate decision at the earliest on the representation of the

petitioner no.2 for appointment on the post of ASI(M) taking into consideration the rules and regulations and the past appointments given to the similarly placed persons by the respondents. Let an appropriate decision be taken at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.

6. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**