

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 2225 OF 2021**

- Smt. Deepmala Singh Parihar, W/o Late Shri Nitesh Singh Parihar, aged 35 years, R/o House No. 534/20, Santoshi Nagar, Raipur, District Raipur (CG)

... Petitioner**versus**

1. Managing Director (Chhattisgarh State Power Distribution Company Limited), Head Office Daganiya, Raipur, District Raipur (CG)
2. Chief Engineer (HR) (Chhattisgarh State Power Distribution Company Limited), Head Office Daganiya, Raipur, District Raipur (CG)
3. Chief Engineer (Generation) (Chhattisgarh State Power Distribution Company Limited), Head Office DSPM Plant, Korba (East), District Korba (CG)
4. Deputy General Manager (HR), CSPGCL (Chhattisgarh State Power Distribution Company Limited), Head Office Daganiya, Raipur, Distt. Raipur (CG)

... Respondents

For Petitioner

:

Mr. Ashutosh Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/04/2021**

1. Grievance of Petitioner in the present Writ Petition is the action on the part of Respondents in granting/offering appointment to her on compassionate ground on the post Security Guard in Class-IV category.
2. Learned Counsel for Petitioner submits that, the husband of Petitioner, namely Nitesh Singh Parihar, was working as a Junior Engineer under Respondents at Korba and who died in harness on 27.7.2018. His death was on account of an accident that had occurred on 22.7.2018. Petitioner, who is the widow of the deceased employee, is presently undertaking her Graduation course from ISBM University, Gariyaband. She has all other eligibility criterias for being appointed in Class-III category. However, the Respondents have offered appointment to her on the post of Security Guard in Class-IV category.
3. Contention of learned Counsel for Petitioner is that in an identical set of facts, the Respondents themselves in the past have permitted the widows of other deceased employees to complete their educational qualifications within stipulated period so that appropriate appointment can be granted to them in Class-III category and appointments have also been made after granting sufficient time to the Claimants to complete the minimum educational qualification required.

4. According to learned Counsel for Petitioner, since Petitioner is also undertaking her Graduation course and is likely to complete the same at the earliest, the Respondents should consider granting appointment to her in Class-III category after she completes her Graduation, instead of issuing appointment orders as a Security Guard in Class-IV category. Petitioner has already approached the Respondents by way of representation i.e. Annexure P-6, dated 24.2.2021, in this regard, but till date no decision has been taken on the same by Respondents.

5. Given the limited grievance that Petitioner has and also taking note of the fact that her representation is also pending consideration, the present Writ Petition at this juncture is being disposed of directing the Respondents to consider and decide the representation of Petitioner in accordance with the rules, regulations and policies governing the Respondent organization and also taking note of the past instances on the subject matter.

6. Let appropriate decision in this regard be taken by Respondents at the earliest, preferably within a period of 60 days from the date of receipt of copy of this Order.

7. Writ Petition accordingly stands disposed of with aforesaid observations

Sd/-
(P. Sam Koshy)
JUDGE

sharad