

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2209 of 2021**

Pawan Kumar Shrivastava S/o Late Shri Derharam Shrivastava, Aged About 21 Years, R/o Village Nagoi, Post Baima, Bilaspur, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Technical Education, Mantralaya, Village And Police Station Rakhi, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
2. The Director, Directorate Of Technical Education, Block 3, 3rd And 4th Floor, Indravati Bhavan, Atal Nagar, Village And Police Station Rakhi, Naya Raipur, District Raipur, Chhattisgarh
3. Principal, Government Engineering College, Bilaspur, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Mayank Chandrakar, Advocate
For State	:	Mr. Shreshtha Gupta, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****05.04.2021**

1. The limited grievance that the petitioner has raised in the present writ petition is the inaction on the part of the respondents in not processing the claim of the petitioner for compassionate appointment.
2. It is a case where the petitioner's father working on the post of Attendant-cum-Guard died in harness on 04.09.2020. The father of the petitioner was initially appointed under the contingency establishment

and was subsequently regularized in service vide order dated 01.08.1997 and he continued to discharge the duties till his death on 04.09.2020. Subsequently, the petitioner i.e. the son of the deceased employee moved an application for compassionate appointment which till date is under consideration before the authorities.

3. Learned counsel for the petitioner submits that the employer has recommended the case of the petitioner and forwarded the same to the respondent no.2, the director of the department who is yet to take a decision on the same. Counsel for the petitioner further submits that perhaps the decision has not been taken on the ground of the non-availability of vacant posts but in terms of the policy governing the field, in case the vacant post is not available in the department of the deceased employee, appropriate steps are to be taken by the higher authorities at the Collector level so that the appointment can be given in any other departments where vacant posts are available.
4. Given the limited grievance that the petitioner has, the writ petition at this juncture stands disposed of directing the respondent no.2 to take an appropriate decision in accordance with the rules, policies and regulations governing the field of compassionate appointment at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.

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