

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3197 of 2021

Toman Lal Mahale S/o Nain Das Mahale Aged About 35 Years R/o Ward
No. 5, Maul Mata Chowk District Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department,
Secretariat, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. Directorate Of Public Education Through Deputy Director, Public
Education Department, First Floor, C Block, Indravati Bhavan, Atal Nagar,
District Raipur Chhattisgarh
3. District Education Officer District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Akash Kundu, Advocate.
For State	:	Mr. Neeraj Pradhan, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

01/07/2021

1. Aggrieved by the inaction on the part of the respondents in not considering
the claim of the petitioner for compassionate appointment, the present writ
petition has been filed.
2. It is a case where the father of the petitioner working on the post of Head
Master died in harness on 19.05.1990. At that point of time, the petitioner
was aged around 4 years. After attaining the age of majority in the year
2004, the petitioner had been pursuing with the respondents claiming for
compassionate appointment and till date the application is pending
consideration before the authorities and according to the petitioner after
giving all sorts of assurances without any concrete decision.

3. Counsel for the petitioner referred to a recent correspondence made by the Deputy Director, Public Instructions dated 09.03.2021 addressed to the District Education Officer, District Raipur for taking an appropriate decision in accordance with the rules and policies governing the field at that relevant point of time.
4. Given the aforesaid internal departmental correspondence between the Deputy Director to the District Education Officer i.e. between the respondent no.2 & respondent no.3, this Court at this juncture without entering into the merits of the case, without expressing any opinion so far as entitlement of the petitioner is concerned, disposes of the writ petition directing the respondent no.2 & 3 to take an appropriate decision in accordance with the law at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit