

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3336 of 2021**

Deepak Naidu S/o Late Kumar Swami Naidu, Aged About 34 Years,
R/o 36/321, Near Chhattisgarh College, Bairan Bazaar, Raipur
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Education Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. General Administration Department, Mahanadi Bhawan, New Raipur Chhattisgarh
3. District Education Officer, Raipur, Chhattisgarh
4. Directorate Of Public Instruction Department, New Raipur, Chhattisgarh
5. Block Education Officer, Dharseeva, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vaibhav P. Shukla, Advocate
For State	:	Mr. Ayaz Naved, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.07.2021**

1. The present is a repeat writ petition filed for the same cause of action. The first round of litigation was WPS No. 8004/2018 which got disposed of on 05.12.2018. Vide the said order this Court had directed the respondents to take an appropriate decision in accordance with the rules and regulations governing the field of compassionate appointment so far as the claim of the petitioner is concerned.
2. It is a case where the mother of the petitioner was working as a Headmistress Grade-III at the Government Girls Primary School,

Chhotapara, Raipur when she died in harness on 01.11.2010. Subsequently, the petitioner moved an application for compassionate appointment which was initially deferred on account of the pendency of a criminal case in which the petitioner was involved for the offence punishable under sections 294, 323, 506, 354 read with section 34 of IPC. The said criminal case finally resulted in an acquittal vide order dated 27.09.2017. Thereafter the petitioner had preferred the first writ petition which was disposed of directing the respondents to take an appropriate decision. However, there appears to have been only inter-departmental communications made in between as would be evident from Annexure P-11 which is a correspondence made by the District Educational Officer, Raipur dated 16.05.2019 to the Director, Public Instruction and thereafter there does not seem to be any further progress in the subject.

3. Given the fact that the respondent authorities are yet to take a decision in terms of the order passed by this Court in the earlier round of litigation, the present writ petition in its present form stands disposed of directing the respondents 3 & 4 to take an appropriate decision on the claim application of the petitioner strictly in accordance with the rules & regulations and the policies 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.
4. The writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge

Khatai