

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3618 of 2021

Manish Khunte Son Of Late Dila Ram Khunte Aged About 29 Years R/o.
Ward No. 12, Near Taj Masjid, Behind LIC Office, Talapara, Bilaspur,
District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (Chhattisgarh)
2. Development Commissioner Office Of Development Commissioner, Chhattisgarh, Vikas Bhawan, Sector-19, North Block, Atal Nagar, Nawa Raipur, District Raipur (Chhattisgarh)
3. Chief Engineer Rural Engineering Services, Office Of Development Commissioner, Vikas Bhawan, Sector-19, North Block, Atal Nagar, Nawa Raipur, District Raipur (Chhattisgarh)
4. Superintendent Engineer Rural Engineering Services, Division Raipur, District Raipur (Chhattisgarh)
5. Sub Divisional Officer Rural Engineering Services, Sub Division, Kasdol, District - Balodabazar-Bhatapara (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Shashank Thakur, Advocate.
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For State	:	Ms. Abhyunnati Singh, PL
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Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/07/2021

1. The present writ petition has been filed by the petitioner seeking for appropriate direction to the respondents to consider grant of

compassionate appointment to the petitioner on the post of Sub Engineer since he is all qualified for appointment to the said post.

2. According to the petitioner his father was working as Assistant Engineer under the respondents when he died in harness on 23.11.2020. The petitioner in the present writ petition is a Diploma holder in Civil Engineering and fulfills all other eligibility criteria for appointment to the post of Sub Engineer under the respondents. Further contention of the petitioner is that the Sub Engineer under the respondent is a Class-III post. Under the policy for compassionate appointment applicable for the government employees, the compassionate appointment can be granted to Class-III and Class-IV post. The petitioner herein since he is qualified for Sub Engineer, he applied for the said post, the respondent authorities on the other hand has offered appointment to the petitioner on the post of Assistant Grade-III. Counsel for the petitioner submits that respondent no.3, Chief Engineer in the department has already made a strong recommendation in favour of the petitioner for grant of compassionate appointment on the post of Sub Engineer considering the qualification that petitioner possess.
3. Counsel for the petitioner also drew the attention of this Court to a couple of orders in the recent past which have been passed by the respondents, wherein the appointment on compassionate ground have been made directly to the post of Sub Engineer. Similar orders have also been passed by the other departments as well. The recommendation which has been made by respondent no.3 has already been forwarded to the higher authorities in the department which is pending consideration.
4. Given the said facts, let respondent no.1 & 2 take appropriate decision on the claim of the petitioner in accordance with the provisions of law and

also keeping in view that in the recent past the department has granted compassionate appointment to the post of Sub Engineer which is being claimed by the petitioner.

5. Let appropriate decision in this regard be taken by the respondents at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit