

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3649 of 2021**

Ku. Neha Ramtake D/o Late Ram Kumar Ramtake, Aged About 23 Years,
R/o Shitlapara, Ward No. 16, Balod, District Balod, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Ministry Of Education Department, Mantralaya, Mahanadi Bhavan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
2. Director, Directorate Public Education, Indravati Bhavan, Naya Raipur, District Raipur, Chhattisgarh.
3. Joint Director, Education Department, Durg Division, District Durg Chhattisgarh.
4. District Education Officer, District Balod, Chhattisgarh.
5. Principal, Government Higher Secondary School, Beloda, Block Dondi, District Balod, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Rajkumar Pali, Advocate
For State	:	Mr. Ishan Verma, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****15.07.2021**

1. Aggrieved by the decision of the respondent no.4 dated 12.05.2020, the present writ petition has been filed. Vide the impugned order the claim of the petitioner has been rejected on the ground that the mother of the petitioner is in government employment.
2. The facts of the case are that the father of the petitioner namely Ramkumar Ramtake was working under the respondents as a

Lecturer and he died in harness on 07.10.2019. Subsequently, the petitioner moved an application for compassionate appointment. During the course of scrutiny, it has been revealed that the mother of the petitioner is already in government employment. In view of the fact that the mother of the petitioner is in government employment, under the policy of compassionate appointment, the claim of the petitioner has been rejected.

3. It goes without saying that the claim for compassionate appointment cannot be considered as an alternative source of recruitment. The reason for grant of compassionate appointment is only to ensure that the family is not forced to face a situation of penury. Rather they are provided compassionate appointment to sustain themselves and that is the reason why the policy of the State Government envisages that in the event the other family members are found to be in government employment, the claim for compassionate appointment would not be entertained.
4. In the instant case, after the death of the deceased employee the petitioner became directly dependent upon her mother i.e. the widow of the deceased employee. Admittedly, the mother of the petitioner is in government employment and therefore she is in a position to sustain the entire family.
5. Given the said fact that the mother of the petitioner is in government employment to sustain the family, the decision of the respondents rejecting the claim of the petitioner for compassionate appointment cannot be found fault with.

6. The writ petition being devoid of merits deserves to be and is accordingly rejected.

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

Khatai