

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3780 of 2021**

Shekhar Patel S/o Late Dindayal Patel, Aged About 26 Years, R/o Village And Post Tusda Pandadah, District Mahasamund, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, (New Raipur), District Raipur, Chhattisgarh
2. District Education Officer, Mahasamund, District Mahasamund Chhattisgarh
3. Block Education Officer, Block Bhagbahara, District Mahasamund Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Waquar Naiyer, Advocate
For State	:	Ms. Abhyunati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****02.08.2021**

1. The claim of petitioner in the present writ petition is for an appropriate direction to the respondents to consider and decide the claim for compassionate appointment.
2. Perusal of the record would show that the deceased-employee in the instant case namely Yashwant Patel working on the post of Assistant Teacher (L.B) died due to Corona virus on 19.04.2021. Thereafter, the petitioner who is the brother of the deceased employee seems to have approached the authorities for grant of compassionate

appointment. During the course of hearing it was reflected that the deceased- employee was survived by his wife and son on the date of his death as would be evident from the list of family members shown in the Annexure enclosed with the petition. The petitioner herein is the brother of the deceased-employee.

3. Considering the fact that the deceased-employee was survived by his wife and son, the claim for compassionate appointment therefore cannot be made by any other family members other than wife and son. In the instant case, the wife of deceased-employee i.e. the widow is said to be in government employment. Under the circumstances, there cannot be any claim for compassionate appointment by the petitioner herein who is the brother of the deceased employee.
4. Given the facts and circumstances of the case, this Court does not find any strong case made out by the petitioner for issuance of any writ to the respondents.
5. The writ petition accordingly stands rejected.

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