

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Review Petition No. 110 of 2021**

- Nikhil Dhruw, S/o Late Shri Ashok Kumar Dhruw, aged about 18 years, R/o Village Aroud, P.S. Arjuni, District Dhamtari (CG) ... **Applicant**
versus

1. Pinky Dhruw, W/o Late Shri Ashok Kumar Dhruw, aged about 35 years, R/o Village Aroud, P.S. Arjuni, District Dhamtari (CG)
2. State of Chhattisgarh, through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Raipur (CG)
3. Collector, Dhamtari, District Dhamtari (CG)
4. District Education Officer, Dhamtari, District Dhamtari (CG)
5. Principal, Government Higher Secondary School, Borsi, District Dhamtari (CG) ... **Non-applicants**

For Applicant	:	Mr. Rajesh Kumar Kesharwani, Adv.
For Non-applicants/State:		Mr. Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/08/2021**

1. The present Review Petition has been filed by Applicant seeking review of the Order dated 21.6.2021 passed by this Court in WPS No.2695/2021.
2. Vide Order dated 21.6.2021, this Court had directed the Respondent State Authorities to scrutinize the claim of compassionate appointment moved by Petitioner Smt. Pinky Dhruw and to take an **appropriate decision** in accordance with law.
3. Contention of learned Counsel for Applicant is that the claim of Petitioner Smt. Pinky Dhruw is in the capacity of an alleged second wife of the deceased employee. Whereas, the Applicant is the son of the first wife of the deceased employee and his application for compassionate appointment was on an earlier occasion rejected and which is under challenge in a Writ Petition before this Court, i.e., WPS No.2771/2021 and therefore in the event if the State Authorities decide the claim of Petitioner Smt. Pinky Dhruw in her favour, the Writ Petition preferred by the present Applicant may become infructuous.

4. What is relevant at this juncture to appreciate is the fact that this Court while disposing of WPS No.2695/2021 filed by Smt. Pinky Dhruw had not allowed the Writ Petition nor any specific mandamus was issued in her favour. Rather, the Writ Petition was disposed of for passing of an appropriate order in accordance with the rules, regulations and policies of compassionate appointment. If the Applicant has any objection on the pending application of Smt. Pinky Dhruw before the Respondent State Authorities, he is at liberty to apprise the same by a representation/objection on his behalf before the departmental Authorities who in turn shall consider and take an appropriate call on due consideration of the objection raised by the present Applicant.

5. Given the said factual backdrop and matrix, this Court therefore is of the opinion that at this juncture no strong case has been made by Applicant calling for a review of the Order dated 21.6.2021 passed in WPS No.2695/2021. However, the right of Applicant to object before the Respondent State Authorities stands reserved and it is expected that the Respondent State Authorities shall before taking a decision on the application of Smt. Pinky Dhruw also consider the objection so filed by the present Applicant.

6. With aforesaid observations, the Review Petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge