

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4092 of 2021**

Kamla Paikra Wd/o Late Sukhdev Prasad Paikra Aged About 34 Years R/o Village Khar , Post Keshla , Tehsil Lailunga, District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development , Mahanadi Bhavan, Mantralaya , Atal Nagar , Naya Raipur , District Raipur Chhattisgarh.
2. Collector Raigarh, District Raigarh Chhattisgarh.
3. District Education Officer Raigarh District Raigarh Chhattisgarh.
4. Chief Executive Officer Janpad Panchayat Lailunga, District Raigarh Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Manish Upadhyay, Advocate
For State	:	Mr. Amit Buxy, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy
Order on Board

25/08/2021

1. The limited relief that the petitioner prays for is for an appropriate direction to the respondents to consider the claim of the petitioner for grant of compassionate appointment in terms of the relaxation provided to the policy for compassionate appointment in respect of the death of a Teacher (Panchayat).
2. The relaxation provided by the State Government was vide their circular dated 08.01.2016, which enables a person, who does not have the requisite qualification for being appointed as a Teacher to apply for the post of Gram Panchayat Secretary after obtaining the consent from the said Claimant. Provided the claimant has the

requisite eligibility criteria for the post of Gram Panchayat Secretary.
The claim of petitioner till date is not rejected.

3. Perusal of Annexure P/2 would show that in fact the Department itself had granted time to obtain the requisite educational qualification. The said correspondence was made prior to the relaxation in the policy of the respondents. Immediately thereafter the relaxation was given vide circular dated 08.01.2016, thereafter the petitioner has been approaching the authorities for considering her claim in terms of the circular dated 08.01.2016, which still date is pending.
4. Given the limited dispute that is prays by the petitioner, the writ petition at this juncture can be disposed of directing the respondents No.2 & 4 to take an appropriate decision on the claim of the petitioner for compassionate appointment in terms of the relaxation provided by the State Government vide circular dated 08.01.2016. Let an appropriate decision be taken by the respondents No. 2 & 4 at the earliest preferably within a period of 90 days from the date of receipt of the copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge