

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4679 of 2021

Smt. Deepmalini Shrivastava W/o Shri Shyam Shrivastava Aged About 44
Years R/o Katcheri Road, Durg, Tahsil And District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary , Department Of Higher Education, Mahanadi Bhawan, Mantralaya Atal Nagar, Naya Raipur Chhattisgarh
2. Secretary School Education Department, Mahanadi Bhawan, Mantralaya Atal Nagar, Naya Raipur Chhattisgarh.
3. Under Secretary General Administration Department, Mahanadi Bhawan, Mantralaya Atal Nagar, Naya Raipur Chhattisgarh.
4. Commissioner / Director Directorate Of Higher Education, Government Science College, Campus Raipur District Raipur Chhattisgarh.
5. Principal Mini Mata Govt. Girls College, Korba District Korba Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Achyut Tiwari, Advocate.
For State	:	Ms. Abhyunnati Singh, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/09/2021

1. The limited relief that petitioner seeks for at this juncture is for appropriate decision on the claim/application for compassionate appointment that the petitioner has moved for.
2. It is case where the father of the petitioner was working under the respondents he died in harness on 26.10.2002. At that point of time the petitioner was unmarried daughter. She had already moved an application and she was granted appointment vide order dated 03.09.2009. However,

for the reason that before the order of appointment was issued the petitioner had entered into a marriage and status of the petitioner got changed from unmarried daughter to a married daughter. The order of appointment was therefore said to have been canceled immediately thereafter. The order of cancellation of appointment was not questioned.

3. Meanwhile, however the State Government amended the policy for compassionate appointment and also deleted the word unmarried from the policy while deciding the dependency thus, including the married daughter also in the same amended policy. The Government had also permitted those applicants whose claim were earlier rejected on the ground of their marital status, for reapplying within a period of three months till 30.06.2016. The petitioner thereafter again applied for compassionate appointment on 23.06.2016 which till date has not been finalized.
4. The petitioner makes a limited prayer for taking an appropriate decision on the said application.
5. To the limited extent, the State counsel does not oppose. However, State counsel submits that claim of the petitioner can be decided subject to due verification of her entitlement part as also so far as dependency part in the light of the marriage that she had entered into subsequent to the death of the deceased.
6. Accordingly, the writ petition stands disposed of. Respondents are directed to consider and decide the application for compassionate appointment of the petitioner in accordance with the rules, regulations and Policy after due verification of the entire factual circumstances of the case within an outer limit of four months from the date of receipt of copy of this order.

7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit