

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 29 of 2021**

Heera Sai S/o Amar Sai, Aged About 30 Years R/o Village Kishunpur, Tahsil
Lundra, District Surguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh
2. Superintendent Engineer, Public Works Department, Ambikapur Division, Ambikapur, District Surguja Chhattisgarh
3. Executive Engineer, Public Works Department, Division No. 1, Ambikapur, District Surguja Chhattisgarh

---- Respondents

For Petitioner	:	Mr. CJK Rao, Advocate
For State	:	Mr. Aditya Bhardwaj, PL

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

01/02/2021

1. The grievance of the petitioner in the present writ petition is two fold. Firstly, the petitioner has not been paid any death cum retiral dues payable to the petitioner on the death of his mother. Secondly, non consideration of the claim of the petitioner for compassionate appointment.
2. According to the petitioner the mother of petitioner, namely Smt. Bifni Bai who died in harness on 29.04.2008, she was working as a permanent labour under the contingency establishment of the respondents. According to the petitioner the scheme for compassionate appointment is also applicable upon the employees under the contingency establishment and

therefore the petitioner had also applied for the same but the same has till date not been finalized, though in between the department has asked the petitioner to produce succession certificate which he has in due course of time submitted.

3. Given the limited grievance that the petitioner has and also taking note of the fact that petitioner has submitted the succession certificate and also considering the contentions that petitioner has made, there is no other claimant who have approached the department for the release of the death cum retiral dues other than the petitioner. There is nothing which comes in the way of the department in not finalizing the claim of the petitioner. The writ petition at this juncture stands disposed of directing the respondents no.2 & 3 to immediately process the claim payable to the petitioner on the death of his mother and the claims be settled at the earliest preferably within a period of 90 days from the date of receipt of copy of this order the Respondents are also directed to decide the claim of the petitioner for compassionate appointment in accordance with the scheme if any applicable within the period of 90 days from the date of receipt of the order of this court.
4. With the aforesaid observations, the present writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge