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**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPC No. 300 of 2020**

**1** - Mangal Prasad Kaushal S/o Shyamlal Kaushal Aged About 69 Years  
R/o Village And Post Patora, Tahsil Patan, District Durg, Chhattisgarh.,  
District : Durg, Chhattisgarh

**... Petitioner(s)**

**versus**

**1** - State Of Chhattisgarh Through The Secretary, Women And Health  
Welfare Department Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya  
Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

**2** - Chief Medical And Health Officer, Balod District Balod,  
Chhattisgarh., District : Balod, Chhattisgarh

**3** - The Director Health Services, Raipur District Raipur, Chhattisgarh.,  
District : Raipur, Chhattisgarh

**4** - The Collector, Balod District Balod, Chhattisgarh., District : Balod,  
Chhattisgarh

**5** - Block Education Officer Community Health Centre, Gunderdehi,  
District Balod, Chhattisgarh., District : Balod, Chhattisgarh



6 - The Medical Officer Primary Health Centre, Sirsida, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

7 - Smt. Tanuja W/o Late Shri Yugal Kishore Kaushal Aged About 30 Years D/o Shri Rekhram Sonwani, R/o. Village And Post Kashi, Tahsil Patan, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Ms. Ankita Goswami, Advocate on behalf of Shri Pushpendra Kumar Patel, Advocate
For Respondents No.1 to 6/State	:	Ms. Vartika Shrivastava, PL
For respondent No.7	:	Shri Rishi Rahul Soni, Advocate

**(Hon'ble Shri Justice Amitendra Kishore Prasad)**

**Order on Board**

**15/04/2026**

The present writ petition has been filed by the petitioner seeking appropriate directions against respondent No.7 in respect of the conditions attached to her compassionate appointment.

2. The undisputed facts, in brief is that respondent No.7 was granted compassionate appointment vide order dated 01.03.2014 upon the death of Late Shri Yugal Kishore Kaushal. As per the condition stipulated in para 7 of the said appointment order, she was under the obligation to maintain the dependent family members of the deceased employee. The petitioner, being father-in-law of respondent No.7, along with his wife, claims to be dependent upon the deceased employee. It is the grievance of the petitioner that despite obtaining compassionate appointment, respondent No.7 failed to maintain the petitioner and his



wife, thereby violating the conditions of the appointment. The petitioner submitted a representation before the competent authorities but the respondent authorities vide communication dated 14.11.2019 declined to take any action against the respondent NO.7, primarily on the ground that she has a right to remarry.

3. The petitioner has sought issuance of appropriate writ, order or direction commanding the respondent authorities to take action against respondent No.7 for violation of the conditions contained in paragraph 7 of the appointment order dated 01.03.2014 and to ensure compliance with the obligation to maintain the dependent family members of the deceased employee.

4. Contention of the counsel for the petitioner is that the authorities have erred in not considering the violation of the essential conditions of compassionate appointment ie. maintenance of the dependent family members by the respondent No.7. It is contended that merely because the respondent No.7 has remarried, the same cannot absolve her from the obligation under the appointment order.

5. However, on the last date of hearing ie. on 01.04.2026, learned counsel for the parties submit that the parties have now amicably resolved the dispute and have entered into compromise. It is submitted that the respondent No.7 has agreed to take care of the petitioner in terms of the condition of compassionate appointment.

6. Today, the petitioner and respondent No.7 are present before this Court and they have categorically stated that the compromise has been



entered into voluntarily without any coercion or undue influence. Respondent No.7 is ready to take care of the petitioner in lieu of compassionate appointment granted to her because in the compassionate appointment itself there is a condition to take care of the petitioner as she was dependent upon the deceased employee.

7. This Court has perused the settlement/compromise arrived at between the parties. The same indicates that the dispute between the parties has been amicably resolved. It reads as under:

“1. यह कि प्रथम पक्षकार, द्वितीय पक्षकारगणों को आजीवन भरण-पोषण के मद में सास के लिए 5000/- (अक्षरी पांच हजार रु.) एवं ससुर के लिए 5000 /- (अक्षरी पांच हजार रु.) इस प्रकार जुमला 10,000/- रुपये (अक्षरी दस हजार रु.) द्वितीय पक्षकारगणों के संयुक्त बैंक खाता छततीसगढ ग्रामीण बैंक शाखा उत्तई के कमांक -77062268386 में प्रत्येक माह प्रथम पक्षकार के विभाग के माध्यम से वेतन कटौती किया जाकर अंतरित किया जावेगा।

2. यह कि, प्रथम पक्षकार युगल किशोर कौशल की मृत्यु के उपरांत युगल किशोर के स्थान पर अनुकम्पा नियुक्ति प्राप्त कर चिकित्सा विभाग के मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी बालोद के अधीनस्थ प्राथमिक स्वास्थ्य केन्द्र सिरसिदा विकासखण्ड गुण्डरदेही जिला बालोद में आया के पद पर पदस्थ है। द्वितीय पक्षकारगण को भरण-पोषण के मद में अदा की जाने वाली राशि प्रथम पक्षकार के विभाग के माध्यम से द्वितीय पक्षकारगण के उक्त खाते में अंतरित की जावेगी जिस पर प्रथम पक्षकार को कोई आपत्ति नहीं होगी।

3. यह कि द्वितीय पक्षकारगण एवं प्रथम पक्षकार उक्त राजीनामा से पूर्ण रूप से सहमत है। भविष्य में द्वितीय पक्षकारगण, प्रथम पक्षकार के विरुद्ध कोई न्यायालयीन कार्यवाही नहीं करेंगे। उक्त राजीनामा बिना किसी भय एवं प्रलोभन के स्वस्थचित में निष्पादित किया जा रहा है। उक्त राजीनामा के आधार पर राजीनाम के आशय का अंतिम निर्णय पारित किया जावे।”

8. In view of the statements made by the parties and considering that the grievance of the petitioner stands redressed in terms of the



compromise, no further adjudication on merits is required. Accordingly, the writ petition stands disposed of in terms of the compromise arrived at between the parties. The terms of the compromise shall form part of this order and shall be binding upon the parties.

Sd/-

(Amitendra Kishore Prasad)  
Judge