



SAIFAN KHAN Digitally signed by SAIFAN KHAN

2026:CGHC:10243

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (Service) No. 1667 of 2020

Smt. Jamuna Yadav Wd/o. Late Bablu Yadav, Aged About 47 Years R/o Rajeev Nagar Katiyarras Dantewada P.S. Dantewada District South Bastar Dantewada Chhattisgarh, District : Dantewada, Chhattisgarh

... **Petitioner**

Versus

1 - State of Chhattisgarh Through The Secretary, Department Of Forest Mahanadi Bhawan Atal Nagar, Naya Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

2 - The Divisional Forest Officer, Forest Division Dantewada District South Bastar Dantewada Chhattisgarh, District : Dantewada, Chhattisgarh

... **Respondents**

[Cause-title taken from Case Information System (CIS)]

For Petitioner : Mr. PK Tulsyan and Mr. KK Behrani, Advs.
For Respondents : Mr. HAPS Bhatia, Panel Lawyer

Single Bench: Hon'ble Shri Justice Sanjay K. Agrawal
(Order on Board)

27.02.2026

1. In this writ petition filed under Article 226 of the Constitution of India, the petitioner is questioning order dated 09.09.2019, passed by the respondent No.02 whereby her application for grant of compassionate appointment has been rejected.

2. Learned counsel for the petitioner submits that the competent authority/respondent is absolutely unjustified in rejecting the application

of the petitioner, which was filed after three months from the date of the death. Therefore, the present petition be allowed.

3. Learned State counsel would support the impugned order and prays for dismissal of this petition.

4. I have heard learned counsel for the parties, considered their rival submissions made herein above and went through the record with utmost circumspection.

5. In the case at hand, petitioner's husband was working as Forest Guard with the respondent-department and died in harness on 01.08.2006. Since the deceased employee was having two wives, one is the present petitioner and another Smt. Savita Bai, the competent authority on 06.11.2007 directed the petitioner to obtain and submit succession certificate. Thereafter, the petitioner for grant of succession certificate filed civil suit before the jurisdictional civil court on 14.11.2017, which she obtained by order dated 13.07.2018 and submitted before the respondents on 16.10.2018 i.e. after a delay of more than 10 years. Ultimately, on 04.12.2018, the petitioner submitted letter for granted of compassionate appointment before the respondent, which was rejected vide impugned order dated 09.09.2019 on the basis of circular of the General Administration Department dt. 23.07.2003 that the minimum time limit for grant of compassionate appointment is three years from the date of death. However, fact remains that the respondent authorities directed the petitioner to obtain and submit succession certificate on 06.11.2007, upon which, she approached the jurisdictional

civil court on 14.11.2017 i.e. after a delay of 10 years and, thereafter the petitioner submitted the succession certificate before the respondent on 16.10.2018 and, at the time of filing of this writ petition i.e. 01.03.2020, the petitioner has survived for more than 12 years. Therefore, no useful purpose would be sub-serve in directing the respondents to grant compassionate appointment to the petitioner herein, as the same would frustrate the main object and purpose of grant of compassionate appointment.

6. In that view of the matter, I do not find any merit in this petition. Accordingly, the same is hereby **rejected** on the ground of delay and laches. No cost.

Sd/-
(Sanjay K. Agrawal)
Judge

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