



2026:CGHC:17802



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2995 of 2021

- Dilip Kumar Shyam S/o Late Nawal Singh Shyam Aged About 35 Years R/o Village Kukdur, Tahsil Pandariya, District Kabirdham Chhattisgarh.

... Petitioner

versus

1. State Of Chhattisgarh Through The Secretary , School Education Department Mahanadi Bhawan, Atal Nagar, New Raipur , District Raipur Chhattisgarh.
2. District Education Officer Kawardha, District Kabirdham Chhattisgarh.
3. Block Education Officer Pandariya, District Kabirdham Chhattisgarh.
4. Ku. Anusuiya Shyam D/o Late Naval Singh Shyam Posted At Govt. Higher Secondary School Kukur Pandariya, District Kabirdham Chhattisgarh.
5. Ram Bai Shyam D/o Late Naval Singh Shyam R/o Village Kukdur, Pandariya , District Kabirdham Chhattisgarh.
6. Principal Govt. Higher Secondary School, Kukur, Pandariya, District Kabirdham Chhattisgarh.

... Respondent(s)

For Petitioner	: Mr. Shyamta Prasad Sannat, Advocate
For State	: Mr. Amandeep Singh, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

20.04.2026

1. By way of this petition, the petitioner has sought the following relief(s):-

“10.1 That, this Hon’ble Court may kindly be pleased to issue appropriate writ, setting aside the impugned compassionate appointment order dated 30/12/2020 and further be pleased to direct the respondent authorities to consider the case of the petitioner for compassionate appointment.



10.2 That, the Hon'ble Court may kindly be pleased to grant any other relief, as it may deem fit and proper."

2. Learned counsel for the petitioner would submit that father of the petitioner Late Nawal Singh Shyam was working on the post of Peon in the Government Higher Secondary School, Kukdur, Pandariya, District Kabirdham, who died in harness on 31.10.2020. He would contend that mother of the petitioner, namely, Pyara Bai was his first wife and petitioner is an issue from Late Nawal Singh Shyam and Smt. Pyara Bai. He would contend that daughter of second wife Ku. Anusuiya Shyam moved an application for grant of compassionate appointment and it was allowed by the District Education Officer, Kabirdham vide order dated 30.12.2020 and she was offered appointment on the post of Peon. He would contend that the name of first wife of the Government servant was entered in service book, and therefore, the second wife or her children were not entitled to claim compassionate appointment. He would pray to set-aside the order Annexure P/1 dated 30.12.2020.
3. On the other hand, Mr. Amandeep Singh, Panel Lawyer would submit that name of second wife Smt. Ram Bai Shyam was also entered in service book of the Government servant and Ku. Anusuiya Shyam being daughter of Smt. Ram Bai moved an application for grant of compassionate appointment and same was considered and allowed. He would contend that the petitioner never applied for compassionate appointment before the respondent authorities, therefore, his name was not considered. He would contend that respondent No. 4 was granted appointment strictly in accordance with the policy for grant of compassionate appointment. He would submit that the instant petition deserves to be dismissed.



4. I have heard learned counsel for the parties and perused the documents placed on record.
5. It appears that Late Nawal Singh Shyam was working on the post of Peon under the respondent No. 6, who died in harness on 31.10.2020. Name of respondent No. 5 Smt. Ram Bai Shyam finds place in service book of Government servant, and therefore, application moved by Ku. Anusuiya Shyam was considered and an order of appointment was issued by the District Education Officer, Kabirdham on 30.12.2020. A simple application was moved by the petitioner for grant of compassionate appointment before respondent No. 6 on 04.12.2020, but immediately thereafter on 30.12.2020 application moved by respondent No. 4/Ku. Anusuiya Shyam was considered.
6. Taking into consideration the above-discussed disputed facts, the petitioner is granted liberty to make a representation before the District Education Officer, Kabirdham within a period of 45 days, and in turn, the authority concerned is directed to decide it in objective manner within further period of 120 days after affording due opportunity of hearing to the petitioner and respondent No. 4.
7. It is made clear that this Court has not expressed any opinion on the merits of the case.
8. With the aforesaid observation(s), and direction(s), the instant petition is hereby **disposed of**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE