



CGHC010343672026



2026:CGHC:39435

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6620 of 2026

1. Kritilata Bhendia W/o Dhanendra Kumar Bhendia Aged About 30 Years
R/o Village Pandripani, Post Junwani Tahsil Charama, Distt- North Bastar
Kanker (C.G.)

2. Bimlabai Dhaneliya W/o Krishna Ram Dhaneliya Aged About 62 Years
R/o Village Pandripani, Post Junwani Tahsil Charama, Distt -North Bastar
Kanker (C.G.)

... Petitioner(s)

versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health
And Family Welfare Mahanadi Bhawan, Capital Complex New Raipur,
Distt- Raipur (C.G.)

2. Collector, Kanker Distt- North Bastar Kanker (C.G.)

3. Chief Medical And Health Officer, (C.M.H.O.) Kanker Distt- North Bastar
Kanker (C.G.)

4. Block Health Officer, Kanker Distt- North Bastar Kanker (C.G.)

... Respondent(s)

(Cause title is taken from case information system)

For Petitioners	:	Mr. Vikram Pratap, Advocate
For State/Respondents	:	Mr. S.S. Badgaiya, G.A.

(Hon'ble Shri Justice Bibhu Datta Guru)

Order on Board

09/09/2026

1. By way of instant writ petition, the petitioner No. 1 who is the sister and petitioner No. 2 who is the mother are questioning the order dated 27.03.2026 (Annexure P-1), whereby the claim of the petitioner No. 1 for grant of compassionate appointment has been

rejected on the ground that her husband is a government employee.

2. Learned counsel for the petitioners submits that the petitioner No. 1 brother, who was serving as Rural Health Officer (Male) died in harness on 27.09.2025. Thereafter, the petitioner No. 1 applied for compassionate appointment, however, the same has been rejected vide impugned order dated 27.03.2026 solely on the ground that the her husband is a government employee. It is, therefore, contended that the impugned order is arbitrary and the claim of the petitioner No. 1 deserves to be reconsidered in accordance with law.
3. *Per contra*, learned State counsel would submit that the application of the petitioner No. 1 for grant of compassionate appointment has been rejected on the ground that her husband is in government service at the time of death of her brother, therefore, there is no illegality or perversity in the order passed by the authorities rejecting the claim of the petitioner No. 1.
4. I have heard learned counsel for the parties and perused the documents attached with the petition.
5. From perusal of the documents and the contentions raised by the petitioners, it appears that the application of the petitioner No. 1 has already been rejected on 27.03.2026 by considering the condition enumerated in the policy which was existing at the relevant point of time.
6. The contention of the petitioner No. 1 that her application has been rejected because her husband is also in government service does not persuade this Court to interfere. The competent authority has

considered the petitioner No. 1 claim in accordance with the compassionate appointment policy prevailing on the date of consideration and has found the petitioner No. 1 ineligible on account of the fact that one member of the deceased employee's family was already in Government service. Once the policy prescribes such a disqualification, the authority was bound to act in terms thereof, and this Court, in exercise of its jurisdiction under Article 226 of the Constitution of India, cannot direct relaxation of the policy merely on equitable considerations.

7. Another aspect which cannot be brushed aside is the fact that the basic object of compassionate appointment is to provide immediate financial assistance to the family of a deceased Government employee so as to tide over the sudden financial crisis caused by the death of the sole breadwinner. In the present case, the petitioner No. 1 husband was already in Government service at the time of the death of her brother. The petitioner No. 1 claim was considered and rejected in accordance with the prevailing policy. Therefore, no ground for interference is made out.
8. The Division Bench of this Court, in the matter of ***State of Chhattisgarh & Ors. v. Umesh Thakur*** (WA No.236 of 2022, decided on 07.07.2023), while placing reliance upon the Larger Bench/Full Bench decision of this Court, reiterated the legal position and held as under in paragraph 4:

“A careful perusal of the order passed by the full Bench would show that the full Bench of this Court has clearly

held that no such inquiry can be made qua the dependency / financial support by one of the family members of the deceased who is already in Government service to the other family member of the deceased who has made the application for compassionate appointment. In that view of the matter, the impugned order cannot sustain and accordingly, set aside and the writ petition filed by the respondent herein would stand dismissed.”

9. In view of the foregoing discussion, this Court is of the considered opinion that the competent authority has rejected the petitioner No. 1 claim in accordance with the compassionate appointment policy applicable at the relevant point of time. No jurisdictional error, arbitrariness or illegality is found in the impugned order warranting interference of this Court.
10. Accordingly, the instant petition being devoid of merit liable to be and is hereby **dismissed** at the motion stage itself.

Sd/-

(Bibhu Datta Guru)

JUDGE