

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 14356/2022

Chandani Yadav D/o Late Shri Vimal Prasad Yadav, Aged About
30 Years, R/o Pratap Nagar Chhabra District Baran (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary,
Department Of Personnel, Secretariat, Jaipur.
2. Director Secondary Education, Bikaner.
3. District Education Officer, Headquarter (Secondary)
Baran, District Baran Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Kuldeep Bhatia and Mr. Pankaj Choudhary for Mr. K.N. Sharma
For Respondent(s)	:	Mr. Devansh Sharma, Dy. GC

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

23/02/2026

1. Instant writ petition is preferred with following prayer:-

*i) quash and set aside the order dated 25.03.2022
passed by the respondent No.3 and direct the
respondents to give appointment to the petitioner
on compassionate ground with all consequential
benefits.*

*ii) Any other relief which this Hon'ble Court deems
just and proper in the facts and circumstances of
the case may also be given in favour of the
Petitioner.*

2. Learned counsel for the petitioner, while placing reliance
upon the judgment **dated 13.09.2022 in Civil Reference
No. 1/2022 (Priyanka Shrimali vs. State of Rajasthan**

and others), decided by a Full Bench, submitted that pursuant to a reference made to a Larger Bench regarding interpretation of definition of "daughter" under the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants Rules, 1996 (hereinafter referred to as "the Rules of 1996"), the Full Bench has held that a married daughter is also included in the definition of dependent under the said Rules. He further submitted that in the present case, after the death of Vimal Prasad Yadav on 07.06.2021, petitioner Chandani Yadav D/o late Shri Vimal Prasad Yadav submitted an application seeking compassionate appointment in place of her father, however, the same was rejected. Learned counsel further placed reliance upon the judgment in the case of Smt. **Shobha Devi vs. Jodhpur Vidyut Vitran Nigam Limited and others, SB CWP No. 11993/2017, decided on 12.01.2022** by a Coordinate Bench at Principal Seat, Jodhpur, and submitted that a married daughter is also entitled to compassionate appointment.

3. He further submitted that the petitioner be granted liberty to submit a fresh representation in light of the aforesaid judgments to the respondents, and the respondents be directed to consider the same strictly in accordance with the law laid down in aforementioned cases.
4. Learned counsel appearing on behalf of the respondents candidly admitted that the judgment in the case of **Priyanka Shrimali (supra)** has been implemented by the Government of Rajasthan. However, he submitted that the

case of the present petitioner is required to be examined on the principle of dependency. He further submitted that the petitioner may submit a representation, which shall be examined by the department in accordance with law.

5. Heard Learned counsel for the parties and perused the entire material placed on record.
6. Having taken note of the submissions and the material available on record, the petitioner is granted a liberty to submit a representation to the respondents. The respondents shall examine the said representation in light of the judgments in the cases of **Priyanka Shrimali (supra)** and **Shobha Devi (supra)**. The respondents shall be at liberty to consider and decide the issue of dependency in accordance with the Rules of 1996 and the law laid down in aforementioned cases.
7. Considered the grievance raised herein, the petitioner is given a liberty to submit a representation to the respondents-Authority within a period of 60 days raising all grounds and the respondents-Authority are directed to consider and decide the representation in light of ratio laid down in case of **Priyanka Shrimali (supra)** and **Shobha Devi (supra)**, but in case of deviation with a reasoned and speaking order within a period of 60 days from date of receipt of representation. After the decision, the respondents are under an obligation to communicate the decision to the petitioner either by way of speed post or through E-mail, if petitioner has provided E-mail in her representation.

8. With the aforesaid directions, the present writ petition with pending application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J

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