



2026:CGHC:12793



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6917 of 2021

- Ku. Barkha Verma D/o Late Deepak Kumar Verma Aged About 23 Years R/o Mamtanagar Street No.5, Panchsheel Colony Rajnandgaon, Chhattisgarh. At Present R/o Devalal Baghel (Adv.)s House, Basantpur, Club Chowk, Behind Hanuman Temple, Ward No. 46, Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

... Petitioner(s)

versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Revenue Department, Indrawati Bhawan, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. The Collector Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

... Respondent(s)

For Petitioner	:	Mr. Akash Kumar Kundu, Advocate on behalf of Mr. R.K. Thakur, Advocate
For State	:	Mr. Abhyuday Tripathi, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Judgment On Board

17.3.2026

- 1) Learned counsel for the petitioner submits that father of petitioner, namely, Deepak Kumar Verma who was working on the post of



Revenue Inspector died in harness on 21.04.2021. He further submits that though, mother of petitioner is a government employee, she is residing separately for years and no financial assistance has been extended by the mother. He contends that in view of the above facts and circumstances, petitioner duly applied for compassionate appointment before the respondent authorities but the Collector, Rajnandgaon vide letter dated 17.8.2021 rejected the application moved by petitioner. He further contends that respondent authorities ought to have considered the case of petitioner as no financial assistance has been extended by the mother to petitioner and her sisters. He prays that a direction may be issued to respondent authorities to grant compassionate appointment to the petitioner.

- 2) On the other hand, learned State counsel submits that as per Clause 6A of the policy dated 29.08.2016 issued by the General Administration Department, Government of Chhattisgarh, if any family member of the deceased government servant is already employed in government service, no other family member is eligible for compassionate appointment. He has relied on the judgment passed in ***Writ Appeal No. 33 of 2022, State of Chhattisgarh v. Muniya Bai***, wherein the Hon'ble Division Bench has categorically held that the policy does not envisage any inquiry into the financial condition of other family members, and eligibility is to be strictly decided as per the terms of the policy.



- 3) I have heard learned counsel for the parties and perused the documents placed in the file.
- 4) In the matter of **Muniya Bai (supra)**, the Hon'ble Division Bench, while interpreting Clause 6A of the policy governing compassionate appointments, has clearly held that if any member of the family of a deceased government servant is already in government service, no other member of the family is eligible for a compassionate appointment. Further an inquiry into the financial condition of dependents is not envisaged in the policy. Therefore, no such direction can be issued. The relevant portion is reproduced herein below:

"13. Clause 6A of the Scheme reads as follows: "6A. In the family of the deceased married government servant, if any other member of the family is already in government service, then the other member of the family will not be eligible for compassionate appointment. Explanation. Dependents of the family of deceased married and unmarried government servant shall include the following members: A) In case of married government servant - Dependent mother, dependent parents, widow/widower, son and daughter (including adopted son/daughter, widow/divorced daughter) and daughter in law. B) In case of unmarried government servant (or widower having no son/daughter) mother, brother and sister."



15. A perusal of clause 5 of the Scheme would go to show that it does not envisage that on the death of a married government servant, the parents of the government servant would be entitled to compassionate appointment. It is the spouse of the deceased government employee who is given the first preference and then the son/adopted son, and so on and so forth in the sequence as laid down in clause 5. As only the dependent family members of the deceased government servant as indicated in clause 5 of the Scheme are eligible for compassionate appointment, in absence of definition of family in the Scheme, it will be reasonable to hold that the relations of the deceased government employee as mentioned in clause 5 would constitute the family of the deceased government employee. If any of the family members as shown in clause 5 of the Scheme is already in government service, in terms of clause 6(A), the other members of the family as mentioned in clause 5 would not be eligible for compassionate appointment."

- 5) In view of the above legal position, the plea of the petitioner that her mother does not support or maintain the family cannot be a ground to bypass the express condition under Clause 6A of the policy.
- 6) Admittedly, the petitioner's mother is already in government service, which is not disputed by the petitioner. Clause 6A in the compassionate appointment policy was inserted vide circular dated 29.08.2016. The petitioner has not challenged the validity of the said circular in the present petition.



- 7) It is a well-settled principle of law that applications for compassionate appointment are to be considered strictly in accordance with the prevailing policy. The Courts cannot direct appointments contrary to the policy in force.
- 8) Taking into consideration the above-stated facts, I do not find any ground to entertain this writ petition. Consequently, the writ petition is devoid of merit and is hereby **dismissed**. No order as to costs.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya