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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE  
HON'BLE SHRI JUSTICE VISHAL DHAGAT  
ON THE 23<sup>rd</sup> OF JUNE, 2022

**WRIT PETITION No. 8883 of 2022**

**Between:-**

SAGAR VISHWAKARMA S/O RAMESH  
VISHWAKARMA, AGED ABOUT 22 YEARS,  
OCCUPATION: UNEMPLOYED WARD NO. 15,  
NAGAR PARISHAD, SIRMOUR (MADHYA  
PRADESH)

.....PETITIONER

*(BY SHRI ARUN KUMAR PANDEY, ADVOCATE)*

**AND**

1. THE STATE OF MADHYA PRADESH THROUGH  
PRINCIPAL SECRETARY, SCHOOL EDUCATION  
DEPARTMENT, VALLABH BHAWAN, BHOPAL  
(MADHYA PRADESH)
2. COMMISSIONER, PUBLIC INSTRUCTIONS,  
GAUTAM NAGAR, BHOPAL (MADHYA  
PRADESH)
3. DISTRICT EDUCATION OFFICER, REWA,  
DISTRICT REWA (MADHYA PRADESH)

.....RESPONDENTS

*(BY SHRI VED PRAKASH TIWARI, GOVERNMENT ADVOCATE)*

.....  
*This petition has come up for hearing on this day, the court passed the  
following:*

**ORDER**

Petitioner has filed this petition under Article 226 of the Constitution of India making a prayer that petitioner be considered by respondents for grant of compassionate appointment after death of Gulabwati Vishwakarma.

Counsel appearing for petitioner submitted that Gulabwati Vishwakarma

died in harness. Gulabwati does not have any son and she had left a Will in favour of petitioner. It is further submitted that Gulabwati Vishwakarma had nominated petitioner as beneficiary of her retiral dues also. Considering the facts and circumstances of the case, petitioner shall be given benefit of compassionate appointment as per the policy.

Government Advocate appearing for State opposed the prayer. It is submitted by him that petitioner is not family member of Gulabwati Vishwakarma and, therefore, he is not entitled to get compassionate appointment.

Heard the counsel for the parties.

Petitioner is only the beneficiary of estate and money left by deceased Gulabwati Vishwakarma. Petitioner has not filed any document to show that he is adopted son of deceased Gulabwati Vishwakarma so that he can be given benefit of compassionate appointment. Petitioner does not fall within definition of family as per the scheme.

In view of same, writ petition is **dismissed**.

(VISHAL DHAGAT)  
JUDGE

sp/-