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**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SHRI JUSTICE ANAND PATHAK**

ON THE 2nd OF MAY, 2024

WRIT PETITION No. 11374 of 2024

BETWEEN:-

**RAJESH KUSHWAH S/O LATE SHRI POORAN SINGH
KUSHWAH, AGED 41 YEARS, RESIDENT OF - PATHAR
MOHALLA WARD NO 3 KURWAI VIDISHA MP (MADHYA
PRADESH)**

.....PETITIONER

(BY SHRI SARVESH SHARMA - ADVOCATE)

AND

- 1. THE STATE OF MADHYA PRADESH THROUGH
PRINCIPAL SECRETARY DEPARTMENT OF
PANCHAYAT AND RURAL DEVELOPMENT,
VALLABH BHAWAN, BHOPAL DISTRICT BHOPAL
(MADHYA PRADESH)**
- 2. JOINT DIRECTOR (ADMN) PANCHAYAT RAJ
DIRECTORATE ARERA HILL BHOPAL (MADHYA
PRADESH)**
- 3. COLLECTOR DISTRICT VIDISHA (MADHYA
PRADESH)**
- 4. CHIEF EXECUTIVE OFFICER JANPAD
PANCHAYAT KURWAI (MADHYA PRADESH)**
- 5. CHIEF EXECUTIVE OFFICER ZILA PANCHAYAT
VIDISHA (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI RAVINDRA DIXIT - GOVERNMENT ADVOCATE)

*This petition coming on for admission this day, the court passed the
following:*

ORDER

1. The present petition under Article 226/227 of the Constitution has been preferred by the petitioner seeking following reliefs:-

"(i) That, the Order Impugned i.e. Annexure P/1 may kindly be quashed; and/or

(ii) In alternate, the respondents be directed to make payment of the compassionate allowance as directed to be paid in terms of the impugned order Annexure P-1; and/or.

(iii) That, the cost of the present petition may kindly be provided to the petitioner."

2. It is the grievance of the petitioner that petitioner is son of Late Shri Pooran Singh Kushwah who was a Clerk (Bhratya) in the respondent department and died during harness in 2016. Compensation amount has not been paid yet. He referred the letter dated 03.01.2020 (Annexure P/7) issued by the Joint Director Administration (Panchayat Raj Directorate) addressed to Chief Executive Officer, Zila Panchayat, Vidisha, whereby it is recommended that compassionate appointment may be given to petitioner. It is further prayed that amount of compassionate allowance has not been disbursed yet.

3. Learned Government Advocate for the respondents fairly submitted that appropriate steps shall be taken and payment of compensation amount/ex-gratia amount shall be paid without any delay. Petitioner may assess the Board while providing necessary documents.

4. Heard.

5. Considering the above submissions, this petition is **disposed of** with the direction to the petitioner to provide the necessary documents to the respondents/authorities and if such documents are provided then the authorities shall take necessary steps in respect of payment of compensation amount/ex-gratia amount to the petitioner as expeditiously as possible preferably within two

months from the date of submission of certified copy of this order alongwith necessary documents.

6. Accordingly, the present petition stands **disposed of in above terms.**

(ANAND PATHAK)
JUDGE

Ashish*

