

(2018) 11 UK CK 0253

Uttarakhand High Court

Case No: Writ Petition (S/S) No. 3864 Of 2018

Smt. Kammo Devi

APPELLANT

Vs

State Of Uttarakhand
& Others

RESPONDENT

Date of Decision: Nov. 29, 2018

Hon'ble Judges: Sudhanshu Dhulia, J

Bench: Single Bench

Advocate: R.C. Tamta, Narayan Dutt

Final Decision: Disposed Off

Judgement

Sudhanshu Dhulia, J.

1. The husband of the petitioner died in harness on 20.07.2018, and according to the petitioner, at the relevant time, her husband was working as a

“Sweeper” in the Government Hospital Gauchar, District Chamoli. It is also admitted by the petitioner that she is the second legally wedded wife

of late Shri Manful. The first wife of late Shri Manful died on 18.05.2002 and after that the present petitioner married to late Shri Manful and now she

is the legally wedded wife of late Shri Manful and entitled for all the benefits, including pension and post retirement benefits and for appointment on

compassionate ground under the U.P. Recruitment of Dependents of Government Servants Dying in Harness Rules, 1974.

2. According to the petitioner, she has already moved an application on 08.10.2018 before the respondent authorities for appointment on

compassionate ground. However, the department has asked the petitioner to file certain particulars, such as, educational qualifications etc., which

according to the petitioner, she has already submitted before the Chief Medical Officer, Gopeshwar Chamoli.

3. In view thereof, the writ petition stands disposed with a direction to the Chief Medical Officer, Gopeshwar, District Chamoli to hold an inquiry into

the matter and in case he comes to the conclusion that the petitioner is the legally second wedded wife and married after the death of first wife, let her

application for appointment on compassionate ground be considered in accordance with law, and in case the appointment is denied to the petitioner, the

Chief Medical Officer, Gopeshwar, Chamoli shall pass a speaking order therein. Let the needful be done in the matter within a period of six weeks

from the date of production of a certified copy of this order.