

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 3660/2019

Kalu Ram Jangid

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary Department Of Revenue, Government Of Rajasthan, Jaipur, Rajasthan.
2. The Registrar, Board Of Revenue, Ajmer, District Ajmer, Rajasthan.
3. The District Collector (Land Record), District Nagaur, Rajasthan.
4. The Additional District Collector, Nagaur, District Nagaur, Rajasthan.
5. The Tehsildar, Office Of Tehsil Merta, District Nagaur, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. M. S. Shekhawat

HON'BLE MS. JUSTICE REKHA BORANA

Order

20/04/2022

The present writ petition has been filed against the order dated 01.01.2019 (Annex.-13), whereby the application of the petitioner for compassionate appointment after the death of his brother, who was a government servant, has been rejected.

Petitioner is the brother of the deceased government servant, Ramesh Jangid who expired on 22.05.2018. After his death, petitioner, being his brother, applied for compassionate appointment. The said application was rejected on the premise that in terms of Rule 2(c)(v) of the Rajasthan Compassion

Appointment of Dependants of Deceased Government Servants Rules, 1996 ('the Rules of 1996'), the married brother of a deceased government servant being not a 'dependant' is not entitled for compassionate appointment. The Rules provide for the compassionate appointment to a dependant of the deceased government servant and an unmarried brother of an unmarried deceased government servant does not fall within the definition of 'dependant'. Admittedly, the petitioner is married and therefore, in terms of the Rules of 1996, the petitioner cannot be held to be a dependant and to be entitled for compassionate appointment.

In view of the specific provisions of law, this Court is not inclined to interfere with the order dated 01.01.2019. Hence the present writ petition is dismissed.

(REKHA BORANA),J

3-Sachin/-



सत्यमेव जयते