

Court No. - 35

Case :- WRIT - A No. - 17860 of 2023

Petitioner :- Santosh Kumar

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Onkar Nath, Vindhyawasini Verma

Counsel for Respondent :- C.S.C., Hem Pratap Singh

Hon'ble Vikas Budhwar, J.

The matter has been taken up in the revised list.

Heard Sri P.K. Shahi, learned Additional Chief Standing Counsel who appears for the respondent no.1, Ms. Shruti Taneja, (AOR No.A/P0457/2015) holding brief of Ms. Pooja Agarwal, learned counsel for the respondent no.2.

The records reveal that the writ petitioner claims that his father namely Balak Prasad was posted as Technical Assistant in Sir Sundar Lal Institute of Medical Sciences Banaras Hindu University Varanasi who died in harness on 14.12.2020. The writ petitioner claims that she is possessed with necessary qualifications for being accorded compassionate appointment.

Prayer in the present petition is for a direction to the second respondent, Registrar Banaras Hindu University (BHU) Varanasi to accord consideration to the claim of the writ petitioner for compassionate appointment.

Ms. Shruti Taneja, (AOR No.A/P0457/2015) holding brief of Ms. Pooja Agarwal, who appears for the University submits that in case the writ petitioner represent his cause before the second respondent then the second respondent shall decide the claim of the writ petitioner within a period of three months from the date of production of certified copy of the order of course subject to the rival claims as well as third respondent, after hearing the third respondent Ashok Kumar also. She further submits that she does not propose to file any response to the writ petition.

In view of the order, which is being proposed to be passed today, notices are not being issued to the third respondent.

Considering the said submission the writ petition is being disposed

off without seeking any response from the respondents granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the second respondent, who shall on the receipt of the same, thereafter proceed to decide the claim of the petitioner as well as the competing claim looking into the eligibility, qualification and other factors which are necessitated for according compassionate appointment as well as competing claim if any.

Needless to point out that the writ petition has been decided without seeking any response from the respondents. Thus, passing of this order may not be construed to an expression that this Court has gone into the merits of the case.

With the aforesaid observation, the writ petition is **disposed off**.

Order Date :- 26.10.2023

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