

Court No. - 35

Case :- WRIT - A No. - 18433 of 2023

Petitioner :- Smt. Tahsin Fatma

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Shailesh Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Shailesh Pandey, learned counsel for the petitioner and Sri S.K. Mishra, learned Standing Counsel, who appears for respondents 1, 2 and 3.

In view of the order, which is being proposed to be passed today, notices are not being issued to the 4th and 5th respondents.

The case of the writ petitioner is that the fourth respondent Gandhi Faiz-e-Aam College, Shahjahanpur is a minority institution whereat her husband was working in College Library as Book-lifter who expired on 3.3.2023. The writ petitioner claims to be the widow and mother of three minor daughters who has approached the respondents for compassionate appointment however her claim is not being addressed,

Prayer in the present petition is for a direction to the respondents to consider the claim of the writ petitioner.

Learned Standing Counsel on the other hand submits that the claim of the writ petitioner is to be accorded consideration by the fifth respondent who is the appointing authority, Principal, Gandhi Faiz-e-Aam College, Shahjahanpur who shall address the claim of the writ petitioner.

To such a submission, learned counsel for the petitioner has no objection and he gracefully accepts the same.

Considering the submissions of the rival parties as well as stand taken by them, 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 fifth respondent, Principal, Gandhi Faiz-e-Aam College, Shahjahanpur,

who shall on the receipt of the same, put to notice to the writ petitioner and thereafter proceed to determine the entitlement of the petitioner including the competing claim if any within a period of two months from the date of presentation of the certified copy of the order.

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 :- 2.11.2023

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