

Court No. - 36

Case :- WRIT - A No. - 20255 of 2023

Petitioner :- Shubham Mishra

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

Counsel for Petitioner :- Ram Pravesh Yadav,Dharmendra Kumar Dwivedi,Swatantra Kumar Rai

Counsel for Respondent :- C.S.C.,Arun Kumar Tripathi

Hon'ble Manjive Shukla,J.

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondent No. 1 and Sri Arun Kumar Tripathi, learned counsel appearing for the Respondents No. 2 and 3.

2. Learned counsel appearing for the petitioner has submitted that father of the petitioner, Mr. Shubhash Chandra Mishra while working on the post of Headmaster, Primary School Tadvariya, Block Mehdawal, District Sant Kabir Nagar died-in-harness on 28.12.2021. Petitioner after the death of his father has submitted application for compassionate appointment on 1.02.2022.

3. It has further been submitted that petitioner's application for compassionate appointment is pending before District Basic Education Officer, Sant Kabir Nagar since 01.02.222 and has not decided till date.

4. Learned counsel appearing for the petitioner has argued that it is settled proposition of law through catena of judgements of the Hon'ble Supreme Court that the application for compassionate appointment must be decided expeditiously.

5. Sri Arun Kumar Tripathi, learned counsel appearing for the Respondents No. 2 and 3 has very fairly submitted that since petitioner has already filed an application for compassionate appointment, the same can be considered and decided by the Respondent No. 3 within a fixed time frame.

6. In view of the aforesaid submissions advanced by the learned counsels appearing for the parties, this writ petition is finally ***disposed of*** with a direction to Respondent No. 3 to consider and decide the petitioner's case for compassionate appointment by passing speaking and reasoned order within two months from the date of service of certified copy of this order.

Order Date :- 6.12.2023/A. Mandhani