

Court No. - 33

Case :- WRIT - A No. - 19046 of 2023

Petitioner :- Hema Rani

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

Counsel for Petitioner :- Vinod Shankar Tripathi, Vijai Shanker Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble J.J. Munir, J.

Heard learned Counsel for the petitioner and Mr. Brijendra Mani, learned Standing Counsel for respondent nos. 1, 2 and 3.

Vijay Pal Singh, who was a Police Constable, died in harness on 09.06.2023. The petitioner claims to be Vijay Pal Singh's sister and says that she is entitled to compassionate appointment because Vijay Pal Singh had got employment also on compassionate ground upon the death of Rameshwar Das, father of Vijay Pal Singh and the petitioner.

It is not in dispute that Vijay Pal Singh was a married man. He has left behind a widow, Swati Devi, besides his mother Ramlali and two unmarried sisters, which includes the petitioner. Unmarried brothers, unmarried sisters and widowed mother, dependent on the deceased Government servants, fall within the definition of family under Rule 2(c) of the U.P. Recruitment of Dependents of Government Servant Dying in Harness Rules, 1974 (*For short, 'the Rules of 1974'*) provided the deceased Government servant was unmarried.

In this case, the deceased Government servant was not an unmarried man. Therefore, the petitioner, who is the deceased's unmarried sister, does not fall in the definition of family as

envisaged under Rule 2(c) of the Rules of 1974.

In this view of the matter, no direction can be issued for a consideration of the petitioner's candidature for compassionate appointment.

This petition fails and is **dismissed**. No costs.

Order Date :- 16.11.2023

Prashant D.