

Court No. - 35

Case :- WRIT - A No. - 19282 of 2023

Petitioner :- Smt Sabiya Begum @ Sabeeha Begum

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Sanjay Pratap Singh, Shweta Singh

Counsel for Respondent :- CSC

Hon'ble Vikas Budhwar, J.

Heard Sri Sanjay Pratap Singh, learned counsel for the writ petitioner and Sri Shailendra learned Standing Counsel, who appears for respondents 1 and 2.

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

The case of the writ petitioner is that her husband namely Abdul Rashid Khan, who was working as an Assistant Teacher in the respondent institution died on 17.3.2022. The writ petitioner claims for compassionate appointment under the provisions of U.P. Intermediate Education Act, 1921 and the regulations framed therein under.

Learned Standing Counsel submits the issues with the writ petitioner seeks to raise needs determination by the second respondent, District Inspector of Schools, Hamirpur. thus according to him the writ petitioner may represent his cause before the second respondent, District Inspector of Schools, Hamirpur who shall address to the claim of the writ petitioner. He further submits that he does not propose to file any response to the writ petition.

Prayer in the present petition is for a direction to the second respondent, District Inspector of Schools, Hamirpur to accord consideration to the claim of the writ petitioner.

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 second respondent, District Inspector of Schools, Hamirpur who shall on

the receipt of the same, put to notice to the third and the fourth respondent and thereafter proceed to decide the claim of the petitioner strictly in accordance with law within a period of two months from the date of presentation of the certified copy of the order after verifying the educational qualifications, eligibility, suitability as well as the competing claims 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 :- 22.11.2023

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