

Court No. - 36

Case :- WRIT - A No. - 19763 of 2023

Petitioner :- Manglesh Maurya

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

Counsel for Petitioner :- Kamal Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Manjive Shukla,J.

1. Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the Respondents No. 1, 2 & 3.

2. In view of the proposed order notice to Respondent No. 4 is dispensed with.

3. Facts of the case, in brief, are that mother of the petitioner Smt. Chinta Rani while working on the post of Assistant Teacher in Shyam Kanhai Lal Ramadevi Purva Madhyamik Vidyalaya, Yusufabad, Chiraiyakot, District Mau died in harness on 01.03.2023. Petitioner has submitted application for compassionate appointment on account of death of his mother on 11.04.2023 but till date decision in respect of his compassionate appointment has not been taken.

4. Learned counsel appearing for the petitioner has argued that it is well settled proposition of law through catena of judgments of this court that the application for compassionate appointment should be decided expeditiously.

5. On the other hand learned Standing Counsel has very fairly submitted that once petitioner has submitted application for compassionate appointment before the District Basic Education Officer, Mau, it would be in the fitness of things if a direction is issued by this court to Respondent No. 3 to consider and decide petitioner's case by passing speaking and reasoned order.

6. In view of the aforesaid submissions advanced by the learned counsels appearing for the parties, this writ petition is finally ***disposed of*** with liberty to petitioner to file a fresh representation before the Respondent No. 3 within a period of three weeks from today and if the said representation is filed, Respondent No. 3 is directed to consider and decide petitioner's case for compassionate appointment by passing speaking and reasoned order within a period of two months thereafter.

Order Date :- 5.12.2023

Gaurav