

Court No. - 36

Case :- WRIT - A No. - 19915 of 2023

Petitioner :- Anoop Tripathi

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

Counsel for Petitioner :- Ramesh Chandra Dwivedi

Counsel for Respondent :- C.S.C.,Pranesh Dutt Tripathi

Hon'ble Manjive Shukla,J.

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondents No. 1 & 3 and Mr. Pranesh Dutt Tripathi, learned counsel appearing for the Respondents No. 2 & 4.

2. Facts of the case, in brief, are that father of the petitioner while posted as Head Master in Primary School Arjun Chapra, Block Khadda, District Kushi Nagar disappeared on 07.07.2007. Petitioner lodged a report in Police Station in respect of missing of his father. Later on Police investigated the matter but could not trace out whereabouts of the petitioner's father. Petitioner after much persuasion could obtain the death certificate of his father on 09.06.2022. Petitioner after obtaining the death certificate of his father submitted application on 11.08.2022 to District Basic Education Officer, Kushi Nagar, whereby he requested for his compassionate appointment in place of his deceased father.

3. Learned counsel appearing for the petitioner has invited attention of this court towards letter dated 30.11.2022, whereby District Basic Education Officer, Kushi Nagar has forwarded the matter to Secretary, U.P. Basic Education Board, Prayagraj and has sought guidance in respect of petitioner's compassionate appointment.

4. Learned counsel appearing for the petitioner has argued that till date petitioner's case for compassionate appointment has not been considered and decided.

5. On the other hand, Mr. Pranesh Dutt Tripathi, learned counsel appearing for the Respondents No. 2 & 4 though has opposed the writ petition but could not deny the fact that when petitioner has submitted an application for compassionate appointment then the said application should be considered and decided within a fixed

time frame.

6. In view of the aforesaid submissions advanced by the learned counsels appearing for the parties, without entering into merits of the case, this writ petition is ***finally disposed of*** with a direction to respondents to consider and decide petitioner's application dated 11.08.2022 by passing speaking and reasoned order within a period of three months from the date of service of certified copy of this order.

Order Date :- 1.12.2023

Gaurav