

Court No. - 7

Case :- WRIT - A No. - 20278 of 2023

Petitioner :- Vaishali Gupta

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Sita Devi,Deejya Narayan Tripathi

Counsel for Respondent :- C.S.C.,Akanksha Sharma

Hon'ble Dr. Yogendra Kumar Srivastava,J.

Heard Sri Deejya Narayan Tripathi, learned counsel for the petitioner, Ms. Akanksha Sharma, learned counsel appearing for the respondent No. 2 and Sri Vinod Kumar Sahu, learned Additional Chief Standing Counsel appearing for the State respondents.

The present petition has been filed seeking to assail the communication/order dated 24.08.2022 issued by the respondent No. 2, in terms of which the claim of the petitioner for being granted appointment on compassionate grounds, has been rejected for the reason that the application was submitted beyond the prescribed period of five years as required in terms of the relevant government order.

Counsel for the petitioner submits that although sufficient reasons were furnished in the application submitted by the petitioner, in respect of the two years' delay, but the order impugned does not accord any consideration to the same.

Learned counsel appearing for the respondent No. 2 has not disputed that the order dated 24.08.2022 does not advert to the explanation furnished by the petitioner with regard to the delay in seeking compassionate appointment.

Having regard to the aforesaid, the order dated 24.08.2022 is set aside. The petitioner would be at liberty to move a fresh application giving complete particulars, as per the procedure prescribed for the purpose under the relevant government orders/rules.

In case the application, as per the prescribed procedure, is moved by the petitioner within a period of one month from today, the same shall be accorded consideration and disposed of by the concerned respondent authorities within a period of two months thereafter.

The petition stands **disposed of** accordingly.

Order Date :- 14.12.2023

Arun K. Singh

[Dr. Y. K. Srivastava, J.]