

Court No. - 35

Case :- WRIT - A No. - 20137 of 2023

Petitioner :- Maheswari Kant Tripathi

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Puneet Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Puneet Kumar, learned counsel for the petitioner and Sri S.K. Mishra, learned Standing Counsel, who appears for respondents 1, 2, 4 & 5.

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

The case of the writ petitioner is that his father namely late Ram Karan Tripathi, who was working as a Trained Graduate in the respondent institution on 29.7.1993 died in harness on 8.12.2015. The writ petitioner claims compassionate appointment.

Learned Standing Counsel submits that the issues with the writ petitioner seeks to raise needs determination at the first instance by the second respondent, District Inspector of Schools, Hamirpur. He further submits that he does not propose to file any response to the writ petition.

Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed of 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 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 bearing in mind the entitlement of the petitioner including the competing claim if any, eligibility, suitability of the writ petitioner and the deserving candidate.

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 of**.

Order Date :- 12.12.2023

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