

Court No. - 20

Case :- WRIT - A No. - 8922 of 2023

Petitioner :- Shubham Sharma

Respondent :- State Of U.P. Thru. Prin. Secy./Addl.Chief Secy. Medical Health Lko And 3 Others

Counsel for Petitioner :- Rishabh Tripathi, Arun Kumar Ojha

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.
2. Petition has been filed seeking a direction to opposite parties to consider petitioner's claim for compassionate appointment.
3. It has been submitted that petitioner's mother late Roopa Sharma passed away in harness on 15.04.2001 on the post of Staff Nurse. It is submitted that at that time petitioner was a minor who attained majority on 02.05.2016 and immediately thereafter filed an application for compassionate appointment.
4. It is submitted that the aforesaid application is still pending consideration which may be directed to be decided.
5. He has placed reliance on Division Bench judgment of this Court rendered in the case of ***Sudhir Kumar Mishra versus State of U.P. & Ors. Special Appeal No.175 of 2016*** to submit that he was fully entitled to submit his claim within a period of five years from the date of attaining majority.
6. Considering innocuous prayer being made by learned counsel for petitioner, without entering into the merits of the case, opposite party no.2 i.e. Director General, Medical and Health, Government of U.P., Lucknow or any other competent authority is directed to take a final decision with regard to petitioner's claim for compassionate appointment in case such claim was filed within the period prescribed as per the relevant rules from attaining majority and considering judgment on that point.
7. Decision with regard to same shall be taken within a period of eight weeks from the date a certified copy of this order is produced before concerned authority.
8. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 9.11.2023

Subodh/-