

Court No. - 19

Case :- WRIT - A No. - 9691 of 2023

Petitioner :- Dileep Kumar

Respondent :- State Of U.P. Thru. Prin. (Secy.) Transport Lko. And 2 Others

Counsel for Petitioner :- Arvind Kumar Gautam

Counsel for Respondent :- C.S.C., Ratnesh Chandra, Sarvesh Kumar Dubey, Vatsala Singh

Hon'ble Jaspreet Singh, J.

Heard learned counsel for the petitioner.

Notice on behalf of respondent No.1 has been accepted by the office of Chief Standing Counsel. Ms. Vatsala Singh, learned counsel has accepted notice and filed her *Vakalatnama* on behalf of respondent No.2, whereas, Shri Ratnesh Chandra, learned counsel has put in appearance on behalf of respondent No.3.

At the outset, Shri Ratnesh Chandra, learned counsel for respondent No.3 has raised an objection that the petitioner is claiming a right for compassionate appointment in service after the death of his father. However, he incorrectly impleaded respondent No.2. It has further been pointed out that the petitioner has not impleaded respondent No.3 appropriately.

Having taken note of the aforesaid and considering the fact that the petitioner has moved a representation, a copy of which has been brought on record as Annexure Nos.2 and 4 to the writ petition seeking compassionate appointment in the place of his deceased father. Even though, same has not been appropriately worded. Accordingly, since the issue is to be considered by the department, accordingly, this Court finds that there is no purpose in keeping the petition pending rather petition is disposed of with the liberty to the petitioner to move a fresh representation within two weeks from today with the appropriate authorities of the UPSRTC. In case, such a representation is made, the respondent-department shall consider and decide the same within a period of eight weeks thereafter.

It is made clear that the Court has not examined the case of the petitioner on merits and the department shall take a decision strictly in accordance with rules applicable thereto.

With the aforesaid, the writ petition is **disposed of**.

Order Date :- 19.12.2023

Ashutosh Pandey