

Court No. - 4

Case :- WRIT - A No. - 4772 of 2024

Petitioner :- Vinod Kumar Nishad

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

Counsel for Petitioner :- Dhananjai Kumar Tripathi, Devendra Verma

Counsel for Respondent :- C.S.C.

Hon'ble Subhash Chandra Sharma, J.

Heard learned counsel for the petitioner as well as learned C.S.C. and perused the material on record.

The present writ petition has been filed with following prayers :-

(I) Issue a writ, order or direction in the nature of Mandamus thereby commanding and directing the opposite parties particularly opposite party no.4 to take appropriate decision on the application of petitioner dated 11.05.2023 for appointment on the post of Class-IVth under the compensation of dying-in-harness rules.

(II) Issue such other order or direction, which this Hon'ble Court may deem, fit and proper under the facts and circumstances of the case, in favour of the petitioner.

It is submitted by learned counsel for the petitioner that his mother namely Suman was working as a permanent employee on the post of Ward Aaya in District Women Hospital, Baharaich and she died on 12.01.2023. Further submitted that petitioner applied for appointment under the dying-in-harness rules and in this regard an application was moved on 11.05.2023 which is still pending, therefore, request for a direction to the opposite party no.4 for deciding the aforesaid application of the petitioner within stipulated period of time.

Learned C.S.C. has no objection in this regard.

Considering the facts and circumstances of the case, submissions made by learned counsel for both the parties, it is expedient to direct the opposite party no.4 to decide the application dated 11.05.2023 of the petitioner pending before him in accordance with law within a period of **60 days** from the date of production of certified copy of this order.

Accordingly, this petition is ***disposed of*** with the above direction.

Order Date :- 25.6.2024

Ashok Gupta