

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.28173 of 2010

Dated:30.01.2018

Between:

Ch.Gnana Subhakar

.. Petitioner

And

The Government of Andhra Pradesh,  
represented by its Principal Secretary,  
General Administration Department, Hyderabad  
and others

.. Respondents



The Court made the following:

ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Education (A.P.) appearing for respondent Nos. 2 to 4.

2. Mother of petitioner, while working as Second Grade Teacher (aided) in C.S.I. Elementary School, Pothavaram Village, Nallajerla Mandal, West Godavari District, died on 17.04.2002. Petitioner claimed to have passed B.Com., B.Ed.,. He claimed to have applied for compassionate appointment within one year of death of his mother. However, on 20.10.2004, Government imposed ban on creation/filling up of existing vacancies in aided posts. Therefore, appointment on compassionate grounds is not considered. Vide G.O.Ms.No.113, Education (SE.PS.I) Department, dated 06.10.2009, such scheme was revived in aided institutions. On 18.01.2010, petitioner was informed that he was provisionally selected for appointment as Junior Assistant on compassionate grounds and during the counselling held on 01.02.2010, he gave willingness. It appears that there was no further correspondence. In Government Memo No.20360/SE.PS.I/A1/2010, dated 09.06.2010, it is clarified that the orders in G.O.Ms.No.113, dated 06.10.2009, are prospective and applicable only from the date of issuance of the said G.O. i.e., 06.10.2009. In other words, the scheme for compassionate appointment was not extended to the family members of the employees whose death occurred prior to 06.10.2009. Aggrieved thereby, this writ petition is filed.

3. When writ petition is taken up for consideration, learned counsel for petitioner produced copy of G.O.Ms.No.10, School Education (PS) Department, dated 25.01.2018. By this G.O., the Government, taking due

note of representations made to extend benefit of compassionate appointment scheme to all those family members of the employees working in aided institutions, extended such benefit.

4. As scheme of appointment on compassionate grounds to children of employee working in aided institution is now extended duly relaxing Government Memo, dated 20.10.2004, by virtue of the orders of the Government in G.O.Ms.No.10, dated 25.01.2018, the grievance of the petitioner is answered.

5. Accordingly, the Writ Petition is disposed of, directing the respondents to consider the claim of the petitioner for appointment on compassionate grounds, if he is otherwise eligible, duly taking note of the orders in G.O.Ms.No.10, dated 25.01.2018. Such exercise shall be undertaken and completed within a period of two months from the date of receipt of copy of the order.

6. The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

30<sup>th</sup> January, 2018

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P. NAVEEN RAO, J

