

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.9212 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue an order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in not considering the request of the petitioner for compassionate appointment as per G.O.Ms.No.118 Finance and Planning (Fin.Wing.P.C III) Department, dt 18.08.1999 as highly illegal, arbitrary, unconstitutional against the principles of natural justice, equity and fair play and prays to direct the respondents herein to provide compassionate appointment to the petitioner as per G.O.Ms.No.118 Finance and Planning (Fin.Wing.P.C III) Department, dated 18.08.1999 with all consequential monetary benefits from the date of eligibility of the petitioner herein and award exorbitant costs to petitioner for needlessly driving the petitioner to pursue this litigation ignoring his eligibility to provide appointment by respondent Government and pass such order or orders in the interest of justice.”

Heard Sri Ch.Ganesh, learned counsel appearing for the petitioner, learned Government Pleader for Services-I appearing for respondents 1, 2, 4 and 5 and Sri G.Narender Reddy, learned Standing Counsel appearing for the 3rd respondent.

It is the case of the petitioner that her husband was appointed as a Sweeper in the respondent-Department on 23-03-1983. Though her husband rendered nearly 35 years of

service, the respondents have not regularized his services. Thereafter, while in service, the husband of the petitioner expired on 09.02.2018.

Learned counsel appearing for the petitioner submits that as per G.O.Ms.No.118, dated 18.08.1999, the State Government has taken a policy decision to extend the scheme of appointment on compassionate grounds even in respect of daily wage employees without reference to the regularization of the deceased employee; that the petitioner submitted a representation to the respondents on 17.01.2019 seeking appointment on compassionate grounds in terms of the said G.O., but, so far, no orders have been passed thereon; and that appropriate orders be passed directing the respondents to consider the said representation submitted by the petitioner on 17.01.2019.

Learned Government Pleader for Services-I as well as learned Standing Counsel appearing for the respondents submits that case of the petitioner would be considered and appropriate orders would be passed on the representation of the petitioner in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the respondents to consider the representation

dated 17.01.2019 submitted by the petitioner and pass appropriate orders thereon, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

26th April, 2019
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