

High Court for the State of Telangana

The Hon'ble The Chief Justice Sri Raghvendra Singh Chauhan

and

The Hon'ble Sri Justice A. Abhishek Reddy

W.P. No. 17030 of 2019

Date: 14-02-2020

Between:

Ms. G. Jyostna

...Petitioner

And

High Court of Telangana

Rep. by its Registrar (Administration)

High Court at Hyderabad, Hyderabad

...Respondent

Counsel for the petitioner:

Indus Law Firm

Mr V.R.N. Prashanth

Counsel for the respondent:

Mr.A. Kranti Kumar Reddy,

SC for HC

The Court made the following:

Order: (per Hon'ble The Chief Justice Sri Raghvendra Singh Chauhan)

Aggrieved by the order dated 04-11-2016, passed by the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, whereby the High Court had rejected the applications submitted by the petitioner for compassionate appointment ostensibly on the ground that there was an earning member in the family, and also aggrieved by the order dated 16-03-2019, passed by the High Court for the State of Telangana, whereby the High Court had rejected her application dated 11-01-2019, without assigning any reason, the petitioner has knocked the doors of this Court.

The brief facts of this case are that the petitioner's mother, *namely* Smt. B. Hemalatha, was working as an Assistant in the Second Appeals Section of the High Court for the State of Telangana. Suddenly, she died on 07-03-2015, after completing a service tenure of thirty-five years. She left behind her an ailing husband, two daughters and two sons. Petitioner is the elder daughter. According to the petitioner, her father, who was employed as constable in the Railway Reserve Police, had to retire from service due to

his chronic illness. Since he was suffering from kidney ailments, and had to undergo surgery for removal of the gall bladder, the family had to incur huge expenses for his treatment. Moreover, according to the petitioner, since she is the eldest daughter in the family, she has no other option except to look after her siblings and her ailing father. Due to the family circumstances, she could not even complete her education beyond intermediate. Therefore, considering the dire condition of the family, the petitioner filed application on 03-03-2016 to the respondent, and sought an employment on compassionate grounds. However, by order dated 04-11-2016, her application was rejected, ostensibly on the ground that her father was receiving a pension from the railways, and on the ground that her brother was working. Moreover, according to her, she again submitted a representation on 11-01-2019. In both her representations, she had made it abundantly clear that although her brother is working, he is staying away from her family. Therefore, she is charged with the enormous task of having to look after her younger brothers and sister, and to take care of her ailing father. Despite her representation, dated 11-01-2019, the

same was rejected by order dated 16-03-2019. Hence, the present petition before this Court.

The learned counsel for the petitioner submits that the petitioner is now caught in a pathetic situation. For, her father, who was receiving a pension, has expired in December, 2019. Meanwhile, the brother, who is an earning member, is not looking after the family affairs as he lives separately from them. Therefore, the family is left out in the cold defending for itself.

Considering the recent development in the family, this Court directs the petitioner to file a representation before the respondent within a period of one week. This Court directs the respondent to consider her representation, and to give her an opportunity of hearing and to pass a reasoned order. In case the petitioner continues to be aggrieved by the order that may be passed against her interest, she shall be free to challenge the same before this Court.

With these directions, this writ petition stands disposed of.

As a sequel, miscellaneous petitions, pending if any,
stand dismissed as infructuous.

(Raghvendra Singh Chauhan, CJ)

(A. Abhishek Reddy, J)

Dt: 14-02-2020
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