

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.24119 of 2020

ORDER:

This writ petition is being disposed of at the admission stage with the consent of learned counsel for the respective parties.

This writ petition is filed seeking the following relief:

“.... to issue an appropriate Writ Order or Direction, more particularly, one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not considering the case of the petitioner for appointment on compassionate grounds in view of the death of her father while in service in any suitable post by considering the appeal submitted by her and by relaxing the condition of attaining the age of 18 years within a period of two years from the date of death of her father, as illegal, arbitrary, unjust, improper and contrary to the Rules and violation of principles of natural justice, and consequently, direct the respondents to consider the case of the petitioner for appointment on compassionate grounds in any suitable post by relaxing the condition of attaining the age of 18 years within a period of two years from the date of death of her father in the interest of justice and pass such other order or orders”

Heard Sri S. Surender Reddy, learned counsel appearing for the petitioner and the learned Government Pleader for Services-II appearing for the respondents.

It has been contended by the petitioner that while working as Watchman in Government Social Welfare Boys hostel, Doma Village and Mandal, Vikarabad District, her father expired on 25.10.2008. When the mother of the petitioner submitted an application seeking appointment on compassionate grounds, the same was rejected by the respondents on the ground that she became over-aged. Thereafter, on attaining majority, the petitioner has submitted an application seeking appointment on compassionate grounds. Though the same was rejected vide Memo dated 30.03.2016 issued by respondent No.3 on the ground that she has not attained majority within two years from the date of death of her father, the same was not communicated to the petitioner. Aggrieved by the said rejection order dated 30.03.2016, the petitioner preferred an appeal before respondent No.1 on 20.11.2020. But, so far, respondent No.1 – Appellate Authority has not passed any order in the said appeal.

Learned counsel for the petitioner, therefore, contends that the writ petition be disposed of directing respondent No.1 to dispose of appeal preferred by the petitioner by passing appropriate orders in accordance with law.

Learned Government Pleader for Services-II appearing for the respondents had contended that since appeal preferred by the petitioner is pending before respondent No.1,

respondent No.1 would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing respondent No.1 to consider appeal preferred by the petitioner on 20.11.2020 and pass appropriate orders in accordance with law within a reasonable period of time, preferably within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

29.12.2020.
Msr

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(Msr)