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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 12863/2024**

NAVNEET KUMAR PANDEY

.....Petitioner

Through: Ms. Hardeep Kaur Mishra, Mr. Anjani Kumar Mishra and Mr. Praveen Mishra, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Pradeep Kumar Jha, Senior Panel Counsel with Mr. Kalyan Babu Singh, Government Pleader, for Respondents No.1 and 2/UOI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

13.09.2024

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CM APPL. 53690/2024

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 12863/2024 and CM APPL. 53691/2024

3. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking a direction to Respondents No.1 to 3 to implement OM dated 16.01.2013 and subsequent OM dated 02.08.2022 issued by DoPT as also seeking appointment on compassionate grounds on account of death of his father, who died in harness while in service.

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4. The facts of the case are that Mr. S.K. Pandey/father of the Petitioner was appointed as Assistant with Respondent No.3 under the NCZCC on 01.05.1991 and was transferred to the Rabindra Rangshala, New Delhi under the Sangeet Natak Akademy on 24.03.1999. Thereafter, on 29.02.2012, he was promoted on ad-hoc basis to the post of Assistant/Stenographer w.e.f. 05.08.2010. Late Mr. S.K. Pandey died due to illness on 17.10.2019 and the death certificate has been placed on record. It is averred that on 13.11.2019, Petitioner gave an affidavit giving his details and sought compassionate appointment. This was followed by reminders on 10.12.2019, 07.01.2021, 17.08.2021, 05.09.2022 and 04.05.2024. However, not getting any response, the present writ petition has been filed.

5. Issue notice.

6. Mr. Pradeep Kumar Jha, learned Senior Panel Counsel accepts notice on behalf of Respondents No.1 and 2.

7. From a reading of the writ petition, it is clear that till date the request of the Petitioner seeking compassionate appointment is pending consideration with Respondent No.3.

8. Therefore, at this stage, it would be appropriate to dispose of this petition with a direction to Respondent No.3 to decide the representation within a period of six weeks from today, in accordance with law, making it clear that this Court has not expressed any opinion on the merits of the case. The decision shall be communicated to the Petitioner within one week from the date of decision. Petitioner is at liberty to take recourse to legal remedies in case of any surviving grievance.



9. Writ Petition stands disposed of, along with the pending application.

JYOTI SINGH, J

SEPTEMBER 13, 2024

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