

HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ petition No.472 of 2006 (SS)

Jagdish Chandra s/o late Heera Ballabh
Village Agar, P.O. Chanda Reguru Pati Kshetra Diyartoli,
District Champawat Petitioner

Versus

1. State of Uttaranchal
2. Chief Forest Conservator, Kumaun Region,
Nainital
3. Divisional Forest Officer, Champawat
..... Respondents

Sri B.D. Murari Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 31.3.2006

Hon'ble Rajesh Tandon, J.

Heard the learned counsel for the parties at length.

By the present writ petition the petitioner has prayed for a writ of certiorari quashing the order dated 22.6.2005 and 20.8.2005. Further prayer was made for a writ of mandamus directing the respondents to consider the case of the petitioner for appointment under compassionate ground.

Briefly stated according to the petitioner his father late Sri Heera Ballabh was posted as Labour (Sharmik) in the Forest Department, Dakshini Van Prabhag, Pithoragarh and he died on 25.6.1994. He behind the petitioner and his mother. The family of the deceased is suffering financial crises after the death of sole bread winner. The petitioner submitted

representation to the respondents for employment but they rejected the application of the petitioner on the ground that Government has banned the appointment of labourers in the Forest Department.

In view of the above, liberty is given to the petitioner to prefer a fresh representation to the respondents within a month after obtaining the certified copy of this order. The respondents are directed to decide the representation afresh if the petitioner's claim covers under Rule 5 of Recruitment of Dependents of Government Servants Dying in Harness Rules, within six weeks thereafter.

Subject to the observations made above, the writ petition is disposed of. No order as to costs.

Dated: 31.3.2006

RajeshTandon, J.

*Dhyani