

HIGH COURT OF JAMMU AND KASHMIR
AT SRINAGAR

SWP No.710/2017
MP No.01/2017

Date of Order:20.04.2017

Mr. Thinles Dorjay Vs. State of J&K & Ors

CORAM:

Hon'ble Mr. Justice Ramalingam Sudhakar, Judge.

Appearing counsel

For the petitioner(s) : Ms. Tabasum Zaffar Jallali, Advocate.

Admit.

Notice.

Mr. Sajad Geelani, Dy.AG appeared and accepted notice on behalf of Mr. M.I.Dar, AAG for respondents.

Petitioner's father was working as Physical Education Teacher in Government Middle School, Darchiks, who died in harness on 20.10.2000. The petitioner was ten years old as then. The mother of the petitioner-widow was working as Class Ivth employee in Education Department who was appointed on 22.11.1988 on such post prior to the death of her husband. On 24.11.2000 the petitioner filed an application before the department-respondents (annexure-C1). The petitioner states that his mother subsequently married and she is living with her present husband. He further states that the petitioner and his two unmarried sisters have no source of income, they are economically very poor and they are in deep financial crunch and are starving.

The application made for compassionate appointment, it appears, was rejected earlier in the year 2010. The petitioner out of poverty and financial incapacity could not seek legal remedy. However, he has been persistently approaching the department to consider his claim considering the poor economic status and penury. He pleads that he has to support two unmarried sisters, who are living like destitutes. Petitioner sought for review of his case for compassionate appointment.

Learned counsel for the petitioner states that the subsequent request of petitioner was recommended by the District Youth Services and Sports Officer Kargil-respondent No.3 (Annexure-F and G). This has been forwarded to the Director General, Youth Services and Sports-respondent No.1 and it is pending before the said authority. Petitioner seeks consideration of his claim based on the recommendations of the District Youth Service Officer, Kargil.

Mr. Sajad Geelani, Dy.AG appearing vice Mr. M.I.Dar, AAG states that on the basis of recommendations if the petitioner is found eligible and application is within time, the case will be considered on its own merits.

In view of the subsequent events the writ petition alongwith connected MPs is **disposed of** and respondent No.1 is directed to accord consideration to the case of the petitioner on its own merits within four weeks from the date copy of this order is served on him. The result of the consideration to be communicated to the petitioner.

(Ramalingam Sudhakar)
Judge

SRINAGAR
20.04.2017
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