

# **HIGH COURT OF JAMMU AND KASHMIR**

AT JAMMU

SWP No.31/2007

Date of order: 26.03.2015

Naresh Kumar son of late Sh. Puran Chand resident of village Nagrota P.O Budhi Tehsil and District Kathua

v

1. State of J&K through Chief Secretary Civil Secretariat Jammu
2. Chief Conservator Forests Jammu Exchange Road Jammu
3. Divisional Forest Officer, Kathua.

## **Coram:**

**Hon'ble Mr. Justice N. Paul Vasanthakumar, Chief Justice**

## **Appearing counsel:**

For the petitioner(s) : Mr. A.K.Sawhney Advocate.

For the respondent(s) :

- |     |                           |   |        |
|-----|---------------------------|---|--------|
| i/  | Whether to be reported in | : | Yes/No |
|     | Press/Media               |   |        |
| ii/ | Whether to be reported in | : | Yes/No |
|     | Digest/Journal            |   |        |

1. This writ petition is filed praying for issuance of writ of mandamus directing respondent No.2 to accept the recommendation of respondent No.3 dated 25.01.2005 under SRO 43 and pass orders.

2. The case of the petitioner is that the father of the petitioner, namely, Puran Chand, who was employed as Forest Guard

died while in service on 18.05.1993 leaving behind his mother and four minor children. The petitioner was minor at the time of death of his father and applied for compassionate appointment under SRO 43 before Chief Conservator of Forests Jammu. The Divisional Forest Officer Kathua recommended his case on 25.01.2005 and no order was passed.

3. In response to the prayer made in the writ petitioner, the respondents filed objections wherein it is stated that the claim of the petitioner was rejected by respondent No.2 vide order dated 16.03.2005 and the same was communicated to the petitioner by respondent No.3.

4. Since it is stated in the objections that the order of rejection was passed and was communicated to the petitioner, the prayer sought for in the writ petitioner cannot be entertained and the same is dismissed. However, if the petitioner is aggrieved of the said order dated 16.03.2005, it is open to him to challenge the same if there is any valid ground in it in accordance with law.

5. Disposed of

**(N. Paul Vasanthakumar)**

**Chief Justice**

**Jammu,**

**26.03.2015**

**Sanjeev**

