

Court No. - 37

Case :- WRIT - A No. - 7074 of 2018

Petitioner :- Preetiviz

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Adarsh Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Abhinava Upadhya,J.

By means of this writ petition the petitioner has challenged the order dated 25.1.2018 by which her candidature for compassionate appointment on Class-III post has been cancelled on account of her being unable to learn typing required for the post.

It is to be noted that the petitioner's appointment on class-III post was made subject to the condition that she fulfills the qualification. Not only this one year time was provided to her to learn typing and after the test of typing she was given one more year time to obtain the skill of typing, but again she could not perform typing test wherein she has to type 25 words in a minute. Now again a prayer has been made that she may be given further six months' time, after being given time thrice, to learn typing and participate in the test.

It is further to be noted that the petitioner has been given government job on account of her father being a government employee, who died while in service. Compassionate appointment is not a normal mode of appointment. A candidate does not have to face the selection and only on account of being dependent of a government employee, employment is extended. Whereas all others have to participate in selection competing with thousands who apply for one post. If the petitioner has been unable to obtain the skills required for the job no further opportunity can be given as it would be injustice to all those who are much qualified for job. When compassionate appointment is given it is not for the incumbent to chose what post they want. Whatever post is available can be offered to them. In the present case the petitioner is unable to fulfill the criteria for Class-III. The authorities may consider her claim for Class-IV post in case she is eligible and

fulfills the criteria for the same.

With the aforesaid observation, the writ petition is disposed of.

Order Date :- 28.2.2018

SKM