

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
D1-02			<p data-bbox="699 360 976 389"><u>CLCON No.423 of 2025</u></p> <p data-bbox="699 394 1246 427"><b><u>Hon'ble Ravindra Maithani, J.</u></b></p> <p data-bbox="699 477 1485 555">Mr. Tapan Singh and Mr. Nikhil Kushwaha, Advocates for the petitioner.</p> <p data-bbox="699 584 1485 663">Mr. Devesh Ghildiyal, Brief Holder for the State.</p> <p data-bbox="699 696 1485 864">The respondent no.1 was requested to join the proceedings. Today, the respondent no.1, Ravinath Raman, joined the proceedings through video conferencing.</p> <p data-bbox="699 898 1485 1178">It is the case of non-compliance of the Court's order dated 18.11.2024, passed in WPSS No.629 of 2023, Shrishti Shah Vs. State of Uttarakhand and Another ("the writ petition"), by which the Court has directed the respondents to consider the claim of the petitioner for compassionate appointment.</p> <p data-bbox="699 1211 1485 1335">A response affidavit has been filed claiming that on the ground of delay, the claim has been denied.</p> <p data-bbox="699 1368 1485 2074">Learned counsel for the petitioner submits that, in fact, on the ground of delay, earlier also, on 01.08.2022, the claim of the petitioner was rejected. That order has been set aside by the Court. During the proceedings of the writ petition, it was fairly conceded on behalf of the State that the principles, that has been laid down by the Full Bench of the Hon'ble Allahabad High Court in the case of Shiv Kumar Dubey and Others Vs. State of U.P. and Others, 2017 (1) UPLBEC 589, are to be followed, and in Para 4 of the judgment of the writ petition, on behalf of the State, it was submitted that, in fact, the issue of limitation should not come in the way of a person, who is claiming compassionate appointment after</p>

becoming major.

It is submitted that the petitioner, in the instant case, falls in the same category; she was minor when her mother died; after attaining majority, she had filed the application.

On 18.11.2024, the Court had held that delay may not be a ground to reject the candidature of the petitioner.

How could the same be a ground to deny the claim of the petitioner? Is it not sitting over in the Court's order as an appeal by the respondent-authorities? When requested to explain, respondent no.1 seeks time to look into the matter again.

List this matter on 09.01.2026.

**(Ravindra Maithani J.)**

18.12.2025

RV