

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.3298 of 2022

Shivlal Mahto

... **Petitioner**

-versus-

Union of India through its Secretary,
Ministry of Agriculture, Cooperation
and Farmers Welfare & Another

... **Respondents**

CORAM : HON'BLE MR. JUSTICE ANANDA SEN

For the Petitioner : Mr. Birendra Kumar, Advocate

For the Respondents: Mr. Prashant Kumar Singh, Advocate

04/ 07.02.2023 I.A. No. 422 of 2023

Through this interlocutory application, the petitioner has prayed for amendment in the writ petition. Petitioner seeks to amend the writ petition challenging the letter dated 22.07.2022 contained in Memo No.687 denying compassionate appointment to the petitioner on the ground that in the light of resolution No.Admin.22(9)/2018-ESTT.III, dated 04.10.2018, only 5% of the posts of Group 'C' and Group 'D' falling under Direct Recruitment Category, shall be carved out for compassionate appointment and it is said that since no post is vacant, no appointment can be done under compassionate ground.

Since entire occurrence has taken place after filing of this writ petition, I am inclined to allow this interlocutory application. Counsel for the petitioner will incorporate the amendment sought for in the writ petition within two weeks.

This interlocutory application stands allowed.

W.P.(S) No. 3298 of 2022

Respondents shall file counter affidavit in this case, considering the stand they intend to take in view of Clause 7G of Scheme for Compassionate Appointment contained in memo dated 16th January, 2013, issued by the Under Secretary to the Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training).

List this case after four weeks under the heading "**For Orders**" so as to explore the possibility as to whether this writ petition can be disposed of at this stage itself.

(Ananda Sen, J.)

Kumar/Cp-02