

(2011) 09 SHI CK 0015
In the High Court Of Himachal Pradesh
Case No : CWP No. 7480 of 2011

Sadeeq Ali

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 09-09-2011

Acts Referred:

Citation : (2011) 09 SHI CK 0015

Hon'ble Judges : Kurian Joseph, C.J;V.K. Ahuja, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The Petitioner, who was offered appointment as Beldar, submits that he was qualified to be appointed as daily wager Clerk. No doubt, appointment on compassionate ground need not necessarily to be Class-IV, but it may be Class-III. But appointment to the Class-III can be made only in case the applicant is otherwise qualified and subject to the availability of the vacancy.

2. The Petitioner submits that he was qualified at the time of appointment. What remains to be examined is whether there was a vacancy in the post of Clerk, as on that date. The Petitioner has submitted Annexure P-6, representation before the second Respondent.

3. There will be a direction to the second Respondent to look into the matter in the light of the above observations and take appropriate action in accordance with law, within a period of three months from the date of production of a copy of this judgment alongwith a copy of the writ petition by the Petitioner.

4. With these observations, the writ petition is disposed of, so also the pending application(s), if any.