



2026:UHC:3452

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><b>WPSS 1229/2026</b> <b><u>Hon'ble Manoj Kumar Tiwari, J.</u></b></p> <p>Mr. Puneet Kansal, Advocate, for the petitioner. Mr. K.N. Joshi, Deputy AG, for the State.</p> <p>(2) Petitioner's father was serving as Assistant Teacher in a government aided institution, who died while in harness in 2001. Petitioner applied for compassionate appointment and he was offered appointment as Junior Clerk by creating a supernumerary post, on 3.11.2010. Petitioner accepted that offer and joined duties as Junior Clerk in 2010 itself. Now, in this writ petition, petitioner contends that he should have been appointed as Assistant Teacher and he has sought quashing of the order dated 3.11.2010, whereby he was offered appointment as Junior Clerk.</p> <p>(3) This Court is not inclined to grant the relief as prayed for. Law is well settled that compassionate appointment is given to a dependant family member of the deceased employee to help the family tide over the sudden financial crisis, which befalls upon it on account of death of the sole bread earner. Petitioner accepted that offer, without raising any grievance, in 2010. Now, he has come up in 2026, questioning the appointment given to him as Junior Clerk. After accepting appointment on the post of Junior Clerk in 2010, petitioner is estopped from raising any further claim for upgradation of the post. Even otherwise also, compassionate appointment cannot be given to specialised</p>



positions like teachers and such appointment can only be given on a ministerial post. This Court, in Writ Petition (S/S) No. 2248 of 2024, has held that compassionate appointment is meant to mitigate the immediate economic hardship and it is not meant to provide career to the dependent of the deceased government servant and appointing teachers without selection compromises the quality of education, violating the fundamental right under Article 21A of the Indian Constitution and standard of education cannot be compromised for the sake of providing employment to dependent family member of a deceased employee

(4) For the reasons aforesaid, writ petition fails and is dismissed.

(Manoj Kumar Tiwari, J.)

**7.5.2026**

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