

HIGH COURT OF JAMMU AND KASHMIR AT SRINAGAR
(Chief Justice's Secretariat)

Subject: Compassionate appointment of Shri Rahul Sharma S/o Late Mohan Lal Sharma (Ex-process Server) R/o Sunetar, Tehsil Ramnagar District Udhampur under SRO-43 of 1994.

Ref.: SWP No. 1760/2012 titled Rahul Sharma Vs. High Court & Ors.

ORDER

No. 556

Dated: 24-07-2017

Whereas, Shri Mohan Lal, who was working as Process Server in the Court of Principal District & Sessions Judge, Udhampur, died in harness on 25.11.2008 leaving behind his widow Smt. Satya Devi and three minor sons.

Whereas, Widow of the deceased Smt. Satya Devi moved an application seeking compassionate appointment of her eldest son namely, Shri Rahul Sharma under SRO 43, who was under age and was lacking academic qualification at the relevant time.

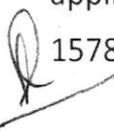
Whereas, Shri Rahul Sharma subsequently submitted an application seeking relaxation in his age and academic qualification for his appointment under SRO-43.

Whereas, the matter was placed before the Competent Authority for consideration. The Competent Authority declined the recommendation for relaxation of the lower age limit of the applicant, however, given regard to the penury conditions of the family following the death of Shri Mohan Lal, Ex-process Server, widow of the deceased, vide this Secretariat's letter No. 2249/PSY-170 dated 20.05.2009, was given option to seek compassionate appointment for herself if otherwise eligible.

Whereas, the widow of the deceased did not apply for appointment but, the applicant Shri Rahul Sharma filed a writ petition (SWP No. 1760/2012) before the Hon'ble High Court seeking his appointment on compassionate grounds in relaxation of his lower age limit and educational qualification in terms of Rule 7 of J&K Compassionate Appointment Rules, 1994.

Whereas, the aforesaid writ petition was disposed of by the Hon'ble High Court on 10.12.2013 with the direction to consider the representation of the petitioner sympathetically to be submitted by him afresh so that the case of the petitioner is forwarded to the concerned (GAD) at the earliest.

Whereas, pursuant to the direction of the Hon'ble High Court, the applicant submitted his representation, which, vide this Secretariat's letter No. 1578/PSY-170 dated 21.02.2014, was sent to Government Law department for



grant of relaxation in lower age limit and academic qualification of the petitioner.

Whereas, Government, vide its order No. 2279-LD (Estt) of 2016 dated 28.07.2016, with reference to GAD's No. GDC-33/CM/2015-SRO dated 27.07.2016, accorded sanction for appointment of the petitioner, which reads as under:

"Sanction is hereby accorded to the temporary appointment of Mr. Rahul Sharma S/o Late Mohan Lal Sharma (Ex-process Server) R/o Sunetar, Tehsil Ramnagar District Udhampur as Class-IV in the pay Scale of Rs. 4440-7400, with the Grade Pay of Rs. 1300/- in relaxation of prescribed qualification in terms of Rule 7 of SRO 43 of 1994."

Whereas, the Competent Authority has been pleased to accord approval for issuance of the appointment order in favour of the applicant in terms of the aforesaid Sanction Order of the Government.

Therefore, pursuant to Government Order No. 2279-LD (Estt) of 2016 dated 28.07.2016, Shri Rahul Sharma S/o Mohan Lal Sharma R/o Sunetar, Tehsil Ramnagar, Udhampur is hereby appointed as orderly in the pay scale of Rs. 4440-7400, with the Grade Pay of Rs. 1300, in terms of Rule 7 of SRO 43 of 1994 and is posted as such in District Udhampur against the available vacancy.

Note:

- i) The appointee is directed to join before Pr. District & Sessions Judge, Udhampur within a period of 21 days from the date of issuance of this order, thereafter, PDJ shall post him against the available vacancy of the orderly in the District.
- ii) The concerned Presiding Officer shall get all the testimonials of the appointee verified from the concerned authorities before drawl of his salary.

By Order.

Sdf
(Jawad Ahmad)
Principal Secretary to
Hon'ble the Chief Justice

No. 1657-62/PSY-170

Dated: 24-07-2017.

Copy to the:-

- 1 Registrar General, High Court of J&K, Srinagar.
- 2 Registrar Vigilance, High Court of J&K, Srinagar.
..... for information.
- 3 Pr. District & Sessions Judge, Udhampur for information.
- 4 Chief Accounts Officer, High Court of J&K at Srinagar for information.
- 5 Shri. _____

for compliance.

✓ 6 I/C NIC for uploading in High Court Website.

G.M. Parray
(G.M. Parray)
Joint Registrar.
24/7/2017
24/7/17