HIGH COURT OF CHHATTISGARH, BILASPUR

Proceeding through video conferencing

Order Sheet

WA No. 191 of 2021

Vice Chancellor, Pt. Sunder Lal Sharma Open University & another **Versus** State of Chhattisgarh & others

WA/216/2021,

13/08/2021	Shri Manoj Paranjpe, Advocate for the appellant in WA No.191/2021. Shri Prateek Sharma, Advocate for the appellant in WA No.216/2021. Shri Arjit Tiwari, Panel Lawyer for the State/respondents in both the appeals. Shri Neeraj Choubey, Advocate for the respective respondents in both the appeals. Heard. Shri Neeraj Choubey, learned counsel appearing for respondents Hardeep Sahu, Smt. Nanda Raikwar, Rohit Kumar, Dhan Singh Markam, Rajesh Uikey and Laxmi Kant Yadav in both the writ appeals submits that respondents Shilkant Tiwari and Mohd. Imran have died and in their places, compassionate appointment has already been made. He Submits that the dependent of these two deceased respondents, who have been given compassionate appointment would be necessary party.

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Bilaspur

In our considered view, although appointment of Shilkant Tiwari, and Mohd. Imran was also challenged in the writ petition, the fact remains that upon their death, the compassionate appointment granted to one of the dependent was never subject matter of challenge before the learned Single Judge, therefore, the legal heirs of these two respondents namely Shilkant Tiwari and Mohd. Imran are neither necessary nor proper party.

Since all other respondents in both the writ appeals have already entered appearance, service is complete.

Thus, the default in WA No.191/2021 is ignored. The appellant in this writ appeal is not required to pay process fee. Copy of WA No.191/2021 be supplied to Shri Neeraj Choubey, Advocate.

Post both the appeals for further consideration in the week commencing from 31 August, 2021.

SD/- SD/-

(Prashant Kumar Mishra) **(Rajani Dubey)**
Acting Chief Justice Judge

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Bilaspur

Amardeep