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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE
HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA
ON THE 23rd OF JUNE, 2022

WRIT PETITION No. 10904 of 2022

Between:-

SMT. JANI BAI W/O LATE SHRI KARULAAL
CHOUHAN OCCUPATION: HOUSEWIFE VILLAGE
RAGHUGARH POST GUNAWAD DISTRICT
RATLAM (MADHYA PRADESH)

.....PETITIONER

(BY SHRI MOHD. IQBAL KHAN-ADVOCATE)

AND

1. SCHOOL EDUCATION DEPARTMENT THROUGH
PRINCIPAL SECRETARY GAUTAM NAGAR
BHOPAL (MADHYA PRADESH)
2. COMMISSIONER LOK SIKSHAN
SANCHALNALAYA DISTT. BHOPAL (MADHYA
PRADESH)
3. JOINT COMMISSIONER LOK SIKSHAN
SAMBHAG UJJAIN (MADHYA PRADESH)
4. DISTRICT EDUCATION OFFICER RATLAM
(MADHYA PRADESH)
5. CHIEF EXECUTIVE OFFICER DIST PANCHAYAT
(MADHYA PRADESH)
6. SANKUL PRINCIPAL SANKUL KENDRA
S E M L I Y A BLOCK RATLAM (MADHYA
PRADESH)

.....RESPONDENTS

(SHRI ADITYA GARG-G.A. FOR STATE) on advance notice

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*This petition coming on for orders this day, the court passed the
following:*

ORDER

In the instant petition, a challenge has been made to the order dated 15.11.2021 whereby the application of the petitioner for grant of gratuity and other retiral dues has been rejected.

Counsel for the petitioner submits that apparently the impugned order has been passed contrary to the record on the ground that husband of the petitioner was included in the category on 1.7.2018 whereas her husband was initially appointed as Shiksha Karmi by order dated 21.08.1998 and he was merged on the post of Sahayak Adhyapak on 1.4.2007. Husband of the petitioner died on 13.05.2021.

Upon perusal of the record, it seems that order impugned has been passed contrary to the record placed along with writ petition as the husband of the petitioner was appointed on 21.08.1998 as Shiksha Karmi and thereafter he was merged on the post of Sahayak Adhyapak on 1.4.2007. In view of this, the impugned order dated 15.11.2021 is set aside.

The petitioner is directed to submit a fresh representation along with relevant record before the respondent No.6 within 15 days from today and if such a representation is submitted along with relevant record, the said authority shall reconsider the entire matter taking into consideration the record and will pass a fresh order within a period of two months from today.

With the aforesaid, writ petition is allowed and disposed of.

C..c as per rules.

(VIJAY KUMAR SHUKLA)
JUDGE