



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 3rd OF NOVEMBER, 2025

WRIT PETITION No. 3824 of 2025

DEVRAJ SINGH SOLANKI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Harshwardhan Sharma - Advocate for the petitioner.

Ms. Bhagyashree Gupta - G.A for the respondent/State.
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ORDER

In the instant petition, the petitioner has challenged the order dated 20/11/2024 by which the claim of the petitioner for grant of compassionate appointment on the post of Primary Teacher (science) has been rejected on the ground that the petitioner does not possess requisite qualification for the said post.

Counsel for the petitioner argued that by the impugned order, the claim for compassionate appointment has been arbitrarily rejected without application of mind. He argued that his father died on 23/10/2017 whereas the date of the application for compassionate appointment submitted by petitioner's mother is shown in the impugned order as 19/2/2017 i.e even prior to the death of his father. In the order, the authority had considered the petitioner's case for compassionate appointment for the post of teacher and also rejected the claim of the petitioner for post of Assistant Grade III



without assigning any reason for rejecting the claim. It is argued that petitioner had never applied for compassionate appointment on the post of Assistant Grade III and he has drawn attention of this Court to Annexure P-4 by which he has applied for compassionate appointment on the post of Lab Assistant/Prayogshala Shikshak which is clear from the format of Annexure P-4.

Counsel for the respondent supported the impugned order and submitted that since the petitioner was not fulfilling the qualification for the post of teacher as well as lab assistant, therefore, the claim of the petitioner for compassionate appointment was rejected.

After hearing learned counsel for the parties and upon perusal of the impugned order, this Court finds that the impugned order has been passed without proper appreciation of facts and proper application of mind. Even incorrect facts are recorded in the impugned order. The date of application submitted by mother of the petitioner has been shown to be the date prior to the death of father of the petitioner. Apart from that, in the last para, the authority has mentioned that claim of the petitioner for Assistant Grade III is also rejected though the petitioner had never applied for the said post.

In view of the aforesaid, it is held that the order impugned is passed without proper application of mind and, therefore, the order being arbitrary is quashed. The respondents are directed to reconsider the case of the petitioner for compassionate appointment within period of 60 days from the date of filing of copy of the order passed today after affording opportunity of hearing to the petitioner.



With the aforesaid, present petition is disposed of.

(VIJAY KUMAR SHUKLA)
JUDGE

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