



IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 13th OF JANUARY, 2026

WRIT PETITION No. 8512 of 2022

GAURAV KUMAR MANKAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Manoj Kushwaha - Advocate for the petitioner.

Shri Pramod Kumar Chaurasiya - Govt. Advocate for the State.

ORDER

Petitioner has filed this writ petition under Article 226 of the Constitution of India challenging impugned order dated 28.3.2022 contained in Anneuxre P/2.

2. Counsel appearing for the petitioner submitted that while passing impugned order no opportunity of hearing was provided to petitioner and further services were terminated on ground that Directorate of Public Instruction through V.C. has given instruction on 14.2.2022 that no compassionate appointment is to be made. Considering the said instruction dated 14.2.2022, appointment of petitioner which was made on 24.1.2022 was cancelled. Counsel for the petitioner submitted that instruction which has been given to District Education Officer can be used prospectively and not retrospectively. Instruction given to District Education Officer will not effect appointment which had already been made.



3. Govt. Advocate for the State is unable to reply to aforesaid grounds taken by the petitioner.

4. Heard learned counsel for the parties.

5. It is found that District Education Officer District Betul has acted on an instructions dated 14.2.2022. He applied the instruction retrospectively though there was no such direction given in the said instruction dated 14.2.2022 neither same is apparent from order dated 28.3.2022. No opportunity of hearing to petitioner was also provided while passing the said order. In view of same, order dated 28.3.2022 contained in Annexure P/2 is quashed. Writ Petition is allowed. Consequential benefits be provided to petitioner.

(VISHAL DHAGAT)
JUDGE

AD/