

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE ATUL SREEDHARAN
ON THE 28th OF FEBRUARY, 2022

WRIT PETITION No. 3798 of 2022

Between:-

BHARTI MESHAM

.....PETITIONER

(BY SHRI ADITYA SANGHI, LEARNED COUNSEL)

AND

1. THE STATE OF MADHYA PRADESH THROUGH THE SECRETARY SCHOOL EDUCATION DEPARTMENT VALLABH BHAWAN BHOPAL (MADHYA PRADESH)
2. COMMISSIONER PUBLIC INSTRUCTIONS MADHYA PRADESH GOUTAM NAGAR BHOPAL M.P. (MADHYA PRADESH)
3. JOINT DIRECTOR SCHOOL EDUCATION DEPARTMENT DISTRICT JABALPUR M.P. (MADHYA PRADESH)
4. DISTRICT EDUCATION OFFICER JABALPUR DISTRICT JABALPUR M.P. (MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI A.S.BAGHEL, LEARNED DY.GOV.T.ADVOCATE)

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This petition coming on for admission and I.R. this day, the court passed the following:

ORDER

The present petition has been filed by the petitioner herein, who is recently been appointed as a Middle School Teacher of English language at the Government Middle School Sarouli, Sankul Government Higher Secondary School, Kundam, District Jabalpur.

The undisputed fact is that the petitioner is a 100% visually impaired person. In other words she is absolutely blind. Annexure P/1, is the certificate of her disability, which reflects that position. Two of her representations are pending

before the respondent nos.3 and 4. This Court considers it appropriate to dispose of this petition with a request to the respondents to decide the said representations within a period of 30 days from the date on which the order passed by this Court is placed before the said officials.

However, while parting with this case, this Court would also request the said respondents to consider the fact that the petitioner is someone with a disability of the most debilitating kind which impairs the power of locomotion itself despite all other organs of the body being normal. They are also requested to bear in mind that the purpose of a just administration is to ensure the establishment and perpetuation of a welfare State. They are also requested to take into consideration that towards that end they may sympathetically consider posting the petitioner in one of the three places of her choice.

The exercise of discretion are undoubtedly vested with the executive but that exercise of discretion when done with due humane consideration, is what would establish a Welfare State in Madhya Pradesh.

With the above, the petition is disposed of.

(ATUL SREEDHARAN)
JUDGE