

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4799 of 2015

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Bishnu Kumar Thapa. Son of Late Balbhadur Thapa. Residing at Mohalla -
Bela Shankar, P.S.- L.N.M.U. Campus, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Energy Department,
Patna. Bihar
2. Bihar State Power (Holding) Company Ltd., through its Chairman,
Viduyut Bhawan, Bailey Road, Patna.
3. The General Manager-cum-Chief Engineer North Bihar Power
Distribution Ltd. Company, Patna.
4. The Deputy Director, Finance Department Govt. of Bihar, Patna.
5. The Superintendent Engineer (Electrical) North Bihar Mithila
Distribution Power Holding Company Ltd. Darbhanga.
6. The Executive Engineer (Electrical) North Bihar Mithila Distribution
Power Holding Company Ltd. Darbhanga. Pusa, Samastipur.
7. The Assistant Engineer (Electrical) North Bihar Mithila Distribution
Power Holding Company Ltd. Darbhanga. Pusa, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Adv
For the N.B.M.D.P.H.C.L: Mr. Vinay Kirti Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 31-03-2015 Heard learned counsel for the petitioner as also

learned counsel for North Bihar Mithila Distribution

Power Holding Company Ltd.

The petitioner claims that his father had died on
11.07.1992, in harness while working on the post of
Chowkidar in the Electric Supply Sub-Division, Pusa,
Samastipur under the then Bihar State Electricity Board.



The petitioner has moved this Court by filing this writ application on 27.03.2015 i.e., after almost 23 years of the death of his father seeking a direction to the respondent-successor of the Board namely, North Bihar Mithila Distribution Power Holding Company Ltd., that he should be appointed on compassionate ground.

The only explanation as with regard to this huge delay of almost 23 years is that the petitioner was awaiting disposal of the representation filed by him from time to time. Such huge delay of almost 23 years will only go to show that that family actually did not need appointment on compassionate ground which is to be offered immediately after the death of the deceased employee in order to support the dependent family members. The very fact that the family has survived for a period of 23 years, will be itself a circumstance against the petitioner now not being directed for consideration of his appointment on compassionate ground.

Be that as it may, mere filing of representation

can never explain the delay of 23 years and now this Court would not like to interfere in this matter only on the ground of delay and laches on the part of the petitioner.

That being so, this writ application fails and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

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