

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1515 of 2013

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1. Wasim Ahmad S/O Murtaza Ahmad Resident Of Village- Rahimpur
Raksa, P.S.- Sakra, P.O.- Muffasil, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Muzaffarpur
3. Sub-Divisional Officer, East Muzaffarpur, District- Muzaffarpur
4. Circle Officer, Sakra Circle, District- Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Jitesh Singh, Advocate

For the Respondent/s : Mr. Sanjeev Kumar A.C to S.C-I

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**
ORAL ORDER

3 27-08-2015

The petitioner cannot claim his compassionate appointment on the post of Chaukidar as inheritable right because after the Chaukidar become Government Servant in the year 1990 a system or rule has also been evolved containing the service condition of recruitment. Any appointment on such post now has to be made under the requirement of Articles 14 and 16 of the Constitution of Indian.

If the law stands as such, then merely because the petitioner was nominated by his father who happened to be a erstwhile Dafadar, he can not claim a right for appointment on compassionate ground.

No direction in favour of the petitioner can be

passed. However, if the petitioner becomes an applicant as and when an advertisement is made for selection, his claim will be considered on his fulfilling the requirement laid down in the advertisement.

The writ application is dismissed.

(Ajay Kumar Tripathi, J)

M.Rahman/-

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