

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10439 of 2011

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1. Ajeet Kumar S/O-Late Chandrika Singh Vill-Siswar,P.O-Masepur,P.S-Khizwar Sarai,Dist.-Gaya
2. Gajendra Kumar Himanshu S/O-Late Binda Sharan Yadav @Binda Saran Prasad Vill-Daulatpur(Ker),P.S-Konch,Dist.-Gaya

.... Petitioner/s

Versus

1. The State Of Bihar
2. Home Secreatry,Govt.Of Bihar,Patna
3. The Dist. Magistrate ,Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar
For the Respondent/s : Mr. Yogendra Kumar Singh,
A.C. to SC 15

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-09-2015 Heard.

The petitioners pray for appropriate direction to set aside the order dated 17.11.2009 passed by the respondent District Magistrate, Gaya whereby the recommendation earlier made for compassionate appointment was withdrawn. The petitioners also pray for a direction to appoint them on the basis of the recommendation earlier made on 03.04.2008 by the District Level Compassionate Appointment Committee.

The respondent no.3 has filed the counter affidavit. No rejoinder thereto has been filed. Along with the counter affidavit, two orders passed by this Court have been enclosed rejecting such

claim as raised in the present writ application for the reasons stated therein. This Court held that a person dying in any action taken by the extremists would not be entitled to pray for compassionate appointment. Referring to those orders the respondent has stated in the counter affidavit that the recommendation made earlier on 03.04.2008 was withdrawn.

There is nothing on record to indicate that any appeal was preferred against the two orders which were passed in these writ petitions involving the identical/similar questions/issues.

The writ application fails and is accordingly dismissed.

(Kishore Kumar Mandal, J)

HR/-

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