

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7113 of 2014

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Gajadhar Manjhi, son of Late Raj Banshi Manjhi, Resident of Village -
Panchvinda, P.O. Siswan, P.S. M.H. Nagar Hasanpura, District - Siwan

.... Petitioner

Versus

1. The State of Bihar
2. The Home Secretary, Govt. of Bihar, Patna
3. The District Magistrate, Siwan
4. The Superintendent of Police, Siwan
5. The Circle officer, Siswan, Siwan
6. The officer - in - Charge, M.H. Nagar Police Station Hasanpura, Siwan

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary
For the Respondent/s : Mr. Sunil Kr. Mandal, SC-24
Mr. Bipin Kumar, AC to SC-24

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-01-2015 Heard the parties.

The petitioner has filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondents to appoint him on compassionate ground on account of death of his father namely, Raj Banshi Manjhi on 05.03.2004 in harness while working on the post of Chowkidar.

Learned counsel appearing on behalf of the petitioner submits that after death of his father one Punyadeo Manjhi, the full brother of the deceased employee, was illegally allowed to discharge the duty on the post of Chowkidar and claim of the petitioner as also his mother was not considered. He further submits that now the aforesaid Punyadeo Manjhi has died on 02.08.2012, yet the petitioner is not being appointed on compassionate ground. Therefore, according to him, a direction may be issued to the respondents to appoint the petitioner on

compassionate ground.

After having heard the parties and on consideration of the materials available on record, this Court finds that on 05.03.2004 when the father of the petitioner died, the petitioner was a minor and aged about hardly 12 years. In the present writ petition filed in the year 2014, the petitioner has shown his age as 22 years. As per own showing of the petitioner, after death of his father, the full brother of the deceased employee was allowed to function on the post of Chowkidar. So far the petitioner is concerned, he being the minor at the time of death of his father his case could not be considered for appointment on compassionate ground. Now after passage of ten years, the case of the petitioner for his compassionate appointment cannot be considered.

The present writ petition seems to be completely misconceived and is, accordingly, dismissed.

(Birendra Prasad Verma, J)

Arvind/-

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