

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15119 of 2008

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Reeta Kumari, D/o late Rajendra Choudhary, resident of village Shourmpur,
P.S. Janipur, District Patna, at present C/o Abdes K Kumar Sinha, resident of
village Nabi Nagar, P.S. Nawadah, District Nawadah

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Nawadah
3. The Secretary, Department of Building Construction Bihar, Patna
4. The Superintending Engineer, Building Construction Department, Gaya
5. The Executive Engineer, Building Division, Building Construction
Department, Nawadah

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad
Mr. Uday Kumar

For the Respondent/s : Mr. (Aag8)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 28-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner claims appointment on compassionate ground on the strength of she being the only daughter of late Rajendra Choudhary, who was working as Correspondence Clerk in the Building Construction Department and had died in harness on 20.7.2004, probably this Court could have issued a direction for reconsideration of the case of the petitioner in the light of the subsequent decision taken by the State Government that even the married daughter of a Government servant dying in harness, who has been subsequently divorced, would be entitled for consideration for appointment on

compassionate ground alike unmarried daughter. The difficulty, however, for this Court is that there is no decree of divorce justifying the said stand of the petitioner. In fact there is no averment at all in the writ petition that she has divorced her husband.

In that view of the matter, this Court does not find any reason to interfere with the order/ decision taken by the respondents in refusing compassionate appointment to the petitioner.

This application is, accordingly, dismissed.

(Mihir Kumar Jha, J)

surendra/-

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