

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9388 of 2015

Uma Thakur, widow of Late V.K.Thakur, resident of C/o Mahesh Prasad Singh, Darpan Dresses Shyam Market, Mokama P.S.- MOkama District-Patna.

.... Petitioner/s

Versus

1. The Director General of Police, Central Industrial Security Force Head Quarter, 13CGO's Compound, Lodhi Road, New Delhi.
2. The Inspector General of Police, C.I.S.F., East Zone Head Quarter, Patna.
3. The Assistant Commandant C.I.S.F., East Zone Head Quarter, Patna.
4. The Union of India through Secretary (Home), New Delhi.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate.

For the Respondent/s : Mr. S.D Sanjay (Addl. Soc. Gen.)
Mr. Anshay Bahadur Mathur, CGC.

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 03-07-2015

Heard learned counsel for the parties.

2. Having regard to the fact that the death of the husband of the petitioner had taken place on 16.12.2008 and thereafter the case of the petitioner was considered for compassionate appointment by the competent authority of Central Industrial Security Force (hereinafter referred to as 'the CISF') and she was not found fit on account of either having not the requisite height or to have failed in the typing test, this Court is not inclined to interfere now with the impugned order dated 21.09.2012, after almost three years earlier closing the case of compassionate appointment of the petitioner specially when the family of the deceased employee having survived for nearly seven years with

the financial resources made available to the widow of the deceased employee in form of death- cum retirement benefit.

3. Learned counsel for the petitioner, however, submits that the petitioner is a graduate and can be accommodated on any post of compassionate appointment.

4. While this Court was not inclined to look into this aspect on account of delay, it must be made clear that the petitioner being a graduate by itself would not be sufficient ground for her appointment on compassionate appointment in CISF, in which eligibility condition has been prescribed for each and every post which is a condition precedent for appointment on compassionate ground. It has to be kept in mind that the petitioner, in fact, has failed to fulfil the eligibility condition either in respect of height or typing test for appointment on compassionate ground on more than one occasion and, therefore, now after almost three years of the cause of action and in fact, seven years of the date of death of the employee, this Court is not inclined to reopen the matter.

5. This writ application, therefore, must fail and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

Sujit/-

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