

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3035 of 2014

Vinay Kumar Singh Son Of Late Awadhesh Prasad Singh Resident Of Village-
Tenghara, Post- Malaypur, District- Jamui

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of
Environment And Forest, New Secretariat, Patna
2. The Chief Conservator Of Forest, New Secretariat, Patna
3. The Divisional Forest Officer, Munger Forest Division, Munger
4. The Conservator Of Forest, Animal Division, Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Respondent/s : Mr. SC-11 Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 09-11-2015

09.11.2015

Heard learned counsel for the parties.

Petitioner was appointed on a Class-IV post
way back on 16.10.2001. He has filed the writ
application for a direction upon the respondents that
initially his recommendation was for a Class-III post, but
the respondent-authorities have appointed him on Class-
IV post, contrary to his right and recommendation.

The stand of the respondents is that the
selection and appointment on compassionate ground
was done in view of the prevalent position and opening
available in the department. He has no right for being
appointed on Class-III post that too in a compassionate

category as a matter of routine.

The object of compassionate appointment has already been made by offering an opening to the petitioner in violation of Article 14 and 16 of the Constitution of India. Compassionate appointment is not a statutory or constitutional right. If the petitioner has availed the benefit of such an opening for more than 14 years, this Court is not inclined to show further compassion within compassion by directing the respondents to now accommodate him on Class-III post.

Writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J.)

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