

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.630 of 2014

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1. Maimun Nisha Wife Of Late Md. Muslim Resident Of Mohalla- Kaisth Tola, Ward No.28, Saharsa, District- Saharsa (Bihar)
2. Md. Murshid Alam Son Of Late Md. Muslim Resident Of Mohalla- Kaisth Tola, Ward No.28, Saharsa, District- Saharsa (Bihar)

.... Petitioner/s

Versus

1. The Union Of India, Through The Secretary, Ministry Of Railway, Rail Bhawan, New Delhi
2. The General Manager, East Central Railway, Hajipur
3. The Divisional Railway Manager (Personnel), E.C. Railway, Samastipur
4. The Senior Divisional Personnel Officer,, E.C.Railway, Samastipur
5. The Chief Vigilance Officer, East Central Railway, Hazipur
6. The Assistant Divisional Engineer, East Central Railway, Saharsa
7. Md. Ilias Son Of Late Md. Muslim Resident Of Mohalla- Kaisth Tola, Ward No.28, Saharsa, District- Saharsa (Bihar)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Bose, Sr. Advocate
Mr. Ajay Kumar, Advocate

For the Respondent/s : Mr. Madhu Prasun

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
And
HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)
Date: 23-07-2015

23.07.2015 Writ application is dismissed, because the Court does not find any infirmity with the reasoning and rational given by the Tribunal, rejecting the claim of the petitioners for compassionate appointment. The compassionate appointment was already given to the son of the first wife with the consent of petitioner no. 1 on the death of the employee, which happened way back on 06.06.1981. If son is not taking care of the

family satisfactorily, there are other laws, which can take care of the same, but that cannot form the basis for removal and appointment of the petitioner under the same set head.

Writ application is dismissed.

(Ajay Kumar Tripathi, J.)

(Rajendra Kumar Mishra, J.)

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