

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13502 of 2011

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Rakesh Kumar S/O Late Ram Swaroop Ram R/O Gora Bazar, Danapur
Cantt., Distt.- Patna

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.... Petitioner

Versus

1. The Regional Manager Patna Circle, S.B.I., Patna
2. The Branch Manager, S.B.I., S.K.Puri, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. D.K.Tondan,
Mr. Shakti Suman Kumar
For the Respondent/s : Mr. Kaushlendra Kr.Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 09-03-2016 Heard Sri D.K.Tondan, learned counsel, who was assisted by Sri Shakti Suman Kumar, learned counsel for the petitioner and Sri Kaushlendra Kumar Sinha, learned counsel who appears on behalf of respondent/State Bank of India.

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has made a prayer for directing the respondents to appoint him on compassionate ground against suitable vacancy. A plea has been taken that father of the petitioner, who was a Class IV employee in the Bank, died in harness on 30-09-2009. Thereafter, he made a prayer for appointment on compassionate ground. Since no decision was taken, he approached this Court by filing the present writ petition.

In this case, a counter affidavit has been filed on

behalf of respondent/State Bank of India and it has been stated that the decision for appointment on compassionate ground in the Bank has already been abolished w.e.f. 4th August, 2005 and in place of appointment on compassionate ground, the Bank has taken a decision to grant *ex gratia* lump-sum amount in accordance with law.

In view of facts disclosed in the counter affidavit, learned counsel for the petitioner seeks permission to withdraw the writ petition so that the petitioner, in view of new rule, may approach the Bank regarding the claim of *ex gratia* lump-sum amount in place of appointment on compassionate ground.

The prayer is allowed.

The writ petition stands dismissed as withdrawn with liberty, as indicated above.

(Rakesh Kumar, J.)

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