

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11969 of 2013

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1. Raushan Kumar Son Of Late Shiv Chandra Rai @ Shiv Chandra Prasad
Resident Of Village - Mishrauli, P.S. Gayghat, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Muzaffarpur
3. The Block Development Officer, Sakra, District - Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.N.Yadav, Advocate

For the Respondent/s : Mrs. Kumari Ranjan Bharti, AC to SC-21.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 08-09-2016

Heard the counsel for the petitioner and the State.

The petitioner is the son of late deceased employee Shivchandra Prasad who was killed and his mother was made an accused by his grand-father who was the informant. Ultimately, she was acquitted from the charges. Application has been filed for appointment on compassionate ground which has been refused on the ground of beyond time limit.

Counsel for the petitioner submits that the ground assigned is not sustainable in view of the fact that mother was an accused in the criminal trial and after acquittal she filed the application. The reasons assigned by the competent authority is misconceived as not sustainable as his mother was made party to a criminal case, even

then the present petitioner could not be appointed in view of the fact that the petitioner was hardly three years old at the time of death of his father. Petition for compassionate appointment after the delay of 15 years is not sustainable in law.

Accordingly, the petition is dismissed.

(Shivaji Pandey, J)

B.Kr./-

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