

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7513 of 2014

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Santosh Prasad, S/o Late Basant Prasad, Resident of village - Pandui, P.S. - Parasbigha, District - Jehanabad.

.... Petitioner

Versus

1. The Union of India through the Secretary, Tele Communication Department, Govt. of India, New Delhi.
2. The Chief General Manager, Bharat Sanchar Nigam Ltd. West Bengal Circle Kolkata, 700001.
3. The Assistant Director Tele Communication, (S-11), Bharat Sanchar Nigam Limited, West Bengal Circle, Kolkata 700001.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Mishra, Advocate.

For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 01-03-2016

Heard learned counsel for the petitioner.

2. The challenge in the present writ petition is to an order passed by the Central Administrative Tribunal, Patna Bench, Patna on 06th of February, 2014 in O.A. No. 584 of 2012, whereby the claim of the petitioner for appointment on compassionate ground was declined.

3. Father of the petitioner Sri Basant Prasad, was an employee of Bharat Sanchar Nigam Limited. He died on 30th of December, 2003 leaving behind the present petitioner, his three married daughters and his mother. Petitioner applied for compassionate appointment, which request was considered by the High Power Committee but was rejected firstly on 20th of June, 2005 and thereafter on 6th of December, 2006 and then 6th of July, 2007. In the last consideration, the petitioner was

given weightage point of score less than 55 and therefore, could not make grade for appointment on compassionate ground. It is thereafter, the petitioner filed an Original Application before the Tribunal which remained unsuccessful and consequently still aggrieved, the petitioner is before this Court.

4. The argument raised by the petitioner is that no satisfactory reason is forthcoming as to why petitioner is not a deserving candidate for appointment on compassionate ground. We find that that the petitioner was considered thrice but could not make up the grade. There is no challenge to his grading or that he is in any way more deserving than any of the selected candidate.

5. In view of the said fact, we do not find that petitioner has any vested right to seek appointment on compassionate ground. He having been considered thrice cannot make a grievance that he is a deserving candidate for appointment on compassionate ground.

6. The writ application, thus, stands dismissed.

(Hemant Gupta, J)

(Navaniti Prasad Singh, J)

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