

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13059 of 2013

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Jitendra Singh, son of late Manoj Kumar Singh, resident of Mohalla- West Lohiya
Nagar, P.O.+P.S.- Kadamkuan, Patna-3, District- Patna

.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Energy Department, Government of Bihar, Patna.
2. The Bihar Renewal Energy Development Agency, Patna, through its Director, Sone Bhawan, Veerchand Patel Path, Patna.
3. The Secretary, Energy Department, Government of Bihar, Patna.
4. The Director, Bihar Renewal Energy Development Agency, Patna, Sone Bhawan, Birchand Patel Path.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Shiv Kumar Prabhakar, adv.
For the Respondent/s : Mr. Ashok Kumar, A.C. to G.P.-10
For the BREDA : Mr. Prasoon Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 02-12-2016

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Bihar Renewal
Energy Development Agency.

In this case, the petitioner is claiming his appointment
on compassionate ground.

The father of the petitioner was working as Bio-Gas
Technician in the Bihar Renewal Energy Development Agency.



The father of the petitioner was posted in the office of the S.D.O., Garhwa, Palamu. Vide Memo No.493 dated 08.11.2002 the father of the petitioner was asked to join the parent Department, but he died in harness on 14.05.2011.

A counter affidavit has been filed by the State, from where it appears that the father of the petitioner had remained absent from 1992. A show cause was issued to the father of the petitioner to explain under what circumstances he was absent. The father of the petitioner approached this Court in C.W.J.C. No.8686 of 2001. The said writ application was disposed of vide order dated 12.07.2001 with a direction to dispose of the representation of the petitioner within three months. In pursuance of the aforesaid order, the representation of the father of the petitioner was considered and the same was disposed of vide Memo No.852 dated 23.11.2001 with a direction to report his duty at Palamu Office as his last place of working was at Palama office. However, he had never reported to the office at Palamu and remained absent.

If the father of the petitioner has remained absent from 1992 and never joined his duty thereafter, this court cannot give direction for the appointment of the petitioner on compassionate ground.



In such view of the matter, this Court does not find any merit in this writ application. Accordingly, this writ application is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
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