

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5228 of 2014

1. Md. Hasibuddin S/O Late Md. Khashbuddin, Resident Of Village- Kaler, P.S. Kaler, District- Arwal Petitioner/s

Versus

- 1. The State Of Bihar through Chief Secretary Government of Bihar Patna
- 2. Principal Secretary, General Administration Department, Patna
- 3. The Central Compassionate Committee Through the Under Secretary, Department Of General Administration, Bihar, Patna
- 4. The Director General of Police, Government of Bihar, Patna
- 5. Joint Secretary, Home Police Department, Bihar, Patna
- 6. Under Secretary Police Department, Bihar, Patna
- 7. Assistant Inspector General of Police (Welfare), Bihar, Patna
- 8. Superintendent of Police Special Branch, Bihar, Patna Respondent/s

Appearance :

For the Petitioner/s : Mr. Rikesh Sinha
For the Respondent/s : Mr. Rajesh Singh, GP 16

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 24-02-2016

Compassionate appointment is not a fundamental right.

In fact, it violates Articles 14 and 16 of the Constitution of India. If a family member is already employed and he claims that he is not taking care of the rest of the family, that cannot by itself become a ground for extending compassionate appointment. If One of the family member has no compassion for rest of the family members then the Court is of the opinion that such a mechanism cannot be devised for begetting employment to unemployable children of a government servant, which is basically a backdoor appointment.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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