

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6469 of 2015

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Rijhan Yadav, Son of Late Khago, resident of Village- Gadi Katauna, P.O.-
Katauna, P.s Barhat, District- Jamui

.... Petitioner/s

Versus

1. The Union of India through the General Manager East Central Railway, Hajipur
2. The Divisional Railway Manager, East Central Railway, Danapur
3. The Sr. Divisional Personnel Officer, Danapur, Divisiona, East Central Railway,
Danapur.
4. The Sr. Section Engineer (Works), East Central , Railway, Patna Junction.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasaad, Sr. Advocate
Mr. Rajesh Kumar Sinha, Mr. Kumar Raviv and Mr.
Binay Kumar Singh, Advocates

For the Respondent/s : Mr. Anil Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 10-05-2016

The order dated 25th November, 2014 passed by the
Central Administrative Tribunal, Patna Bench, Patna, in O.A.No.
335 of 2015 is the subject matter of the present writ petition,
whereby the claim of the petitioner for appointment on
compassionate ground was not interfered with the by the learned

Tribunal.

The father of the petitioner, Late Khago, died on 28th April, 2009. The petitioner is born on 5th September, 1975 and thus was 34 years of age at the time of death of his father. He applied for his appointment on compassionate ground which was rejected by the respondents. It was found that though the petitioner claimed to be 8th pass, but he was not able to write even his name. It was also found that the mother of the petitioner has pre-deceased her husband, whereas sister of the petitioner is married.

In an earlier Original Application, the claim of the petitioner for appointment on compassionate ground was rejected and the matter was directed to be reconsidered by the authorities. It is thereafter, it has been found that the minimum qualification for appointment on compassionate ground in Railway service has been raised to Matriculation after implementation of the report of 6th Central Pay Commission. Keeping in view the age and the fact that the petitioner was not Matriculate, the learned Tribunal has not interfered with the decision of the Railways in not appointing the petitioner on compassionate ground.

We do not find any illegality in the order passed by the Railways or by the Tribunal which may warrant any interference by this Court in the present writ petition.

The writ petition is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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