

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13187 of 2013

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1. Dinesh Kumar Son of Late Geeta Singh, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 2. Vidyanand Sharma Son of Late Baleshwar Singh, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 3. Akbali Kumari Widow of Late Satish Kumar, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 4. Gopal Kumar Son of Rajendra Babu, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 5. Pushpa Rani Widow of Late Ramakant Singh, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 6. Ramashish Kumar Son of Late Chandrika Singh, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 7. Madhu Devi Widow of Late Ramashish Singh, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 8. Manoj Kumar Son of Shri Manohar Singh, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 9. Ranjana Devi Widow of Late Ramdaheen Singh, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 10. Shanti Devi Widow of Late Dasharath Singh, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada
 11. Anjani Kumar Son of Sri Shiv Kumar Shahi, resident of village Apasrh, Police Station- Warshaliganj, District- Nawada. Petitioner/s

Versus

1. The State of Bihar represented through Chief Secretary, Government of Bihar, Patna.
 2. The Special Secretary, Home (Special), Government of Bihar, Patna
 3. The Collector, Nawada
 4. The Additional Collector, Nawada
 5. Block Development Officer, Warsaliganj, Nawada. Respondent/s
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Appearance :

For the Petitioner/s : M/s Ajay Kumar Singh and Raj Kumar, Advs.

For the Respondent/s : M/s Anil Kumar Singh & Nawal Kishor Singh, Advs.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 05-12-2016

Heard learned counsel for the petitioners and learned
counsel for the State.

In the present case, petitioners are seeking appointment
of compassionate ground on the ground of caste violence in which one



of the family member of the petitioner had died, they have placed reliance that the Government had assured appointment of one of the family members and direction was also given for such appointment but later stage, the question of appointment of caste line, came for consideration in C.W.J.C. No. 11098 of 2005 and this Court, vide order dated 17.04.2007, found that the Scheme of such appointment does not qualify the test of Article 14 of Constitution of India and the said judgment was tested in L.P.A. No. 449 of 2007, the view of Writ Court has been upheld, in such circumstances, the Government has taken a policy decision, vide Memo no. 4157 dated 18th June 2009, holding that in such event, the loss of life cannot be a basis for appointment on compassionate ground.

In such circumstances, in view of the policy decision of the Government and in pursuance of the order of this Court, this Court cannot give direction for appointment of the petitioners on account of loss of life of one of the family members in the aforesaid violence.

Accordingly, this petition is dismissed.

(Shivaji Pandey, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14.12.2016
Transmission Date	

