

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8776 of 2014

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Krishna Bharti @ Krishna Kumar Bharti, Son of Late Banshuri Bharti, Resident of
Village- Graindh, P.O.- Kanko, P.S.- Jainagar, District- Kodarma (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Patna
3. The Home Secretary, Government of Bihar, Patna
4. The Director General of Police, Patna
5. The District Collector, Madhubani
6. The Inspector General of Police, Darbhanga
7. The Superintendent of Police, Madhubani
8. The Deputy Collector Establishment, Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Respondent/s : Mr. GA3- V.K.Singh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 23-09-2016

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

Petitioner is one of the sons of the erstwhile
employee, who died in harness. He was a Constable in the Bihar
Police and posted in the district of Madhubani, when death
happened on 15.09.2010.

Petitioner is the youngest son, applied for
compassionate appointment. The Compassionate Appointment
Committee has considered the case and rejected on the ground
that in terms of the Communication No. 1781, dated 10.05.2010 of
the General Administration Department, since elder brother of the
petitioner is already a government servant, therefore, his claim for

compassionate appointment is rejected.

Counsel for the petitioner takes a plea that the brother is separated from the family. There is no correlation and, therefore, the case of the petitioner requires reconsideration.

In every case, where there is a sibling already in employment, the usual plea taken is that the family is separated. Obviously, it s a ploy to get entry into service on compassionate ground.

Compassionate appointment is not with the object of providing employment to unemployed children of a government servant but to provide an opening to one of the family members, who may suffer and face crises due to death of a bread earner in the family.

Since the decision to reject the claim of the petitioner does not suffer from any irrationality. The said decision is not required to be interfered with.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
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