

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14484 of 2015

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Amod Kumar Singh, Son of late Krishnadeo Singh, resident of Village Sugia tole
Raghunathpur , P.o. Sugia Katasari,P.s+ District Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar through the Engineer in chief , Bagmati, Irrigation Department , New Secretariat , Bihar Patna.
2. The District Establishment Compassionate Appointment Committee, Sheohar through the District Magistrate, District Sheohar.
3. The Chief Engineer, Bagmati Irrigation Department , Kalambag Chauk, Muzaffarpur District Muzaffarpur.
4. The Superintendent Engineer, Bagmati Circle , Sitamarhi, District Sitamarhi.
5. The Executive Engineer, Bagmati Irrigation Department, Sheohar, District Sheohar.
6. The Sub-Divisional office of Bagmati Irrigation Department Sheohar, District Sheohar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh

For the Respondent/s : Mr. Sanjay Pandey- GP21

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 04-07-2016

Heard learned counsels for the parties.

Petitioner's claims himself to be the son of one Late Krishnadeo Singh, who was a government servant and working as a Bandh Khalasi in Bagmati Circle, Sheohar. There is no dispute that he died in the year 2002. But a dispute arose whether Krishnadeo Singh was actually dead or not, because yet another person, claiming himself to be Krishnadeo Singh @ Bishundeo Singh claimed himself to be the actual employee under the State.

Mother of the petitioner fought a long legal battle to establish the fact that Bishundeo Singh was an imposture and Krishnadeo Singh was dead. Based on those litigations, retirement

benefits and other post retirement dues were settled. Now the son is before the Court, who is well past 48 years, seeking a direction upon the respondents to appoint him on compassionate ground.

Stand of the counsel for the petitioner is that he had made application well within time. It was because of the protracted litigations and matters pending before Court that the issue has dragged on and that should not come in the way of the petitioner being accommodated on compassionate ground, keeping the needs of the family.

The primary object behind providing compassionate appointment is to provide immediate succor to the family, which may be in distress due to loss of the bread-earner. In this case, death of the bread-earner happened in the year 2002. 14 years have gone past. The petitioner, who is not employable otherwise, because he has failed to find any avocation, if his statement is correct, now, is seeking a benefit, which this Court is not inclined to extend at this belated hour.

Writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

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