

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25521 of 2013

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1. Parmila Devi @ Pramila Devi W/O Late Binod Singh Resident Of Village- Makaraine, P.S- Dihri, Presently Residing At Mohalla/ Village- Gaurshani, P.S+ Post- Sasaram, District- Rohtas.

.... Petitioner/s

Versus

1. The State Of Bihar, Through The Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Power And Electricity, Patna.
3. The Chairman Bihar State Electricity Board, Patna.
4. The Chief Executive Engineer, Electricity,
5. The District Magistrate- Cum- Chairman, Compassionate Appointment, Committee, Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhushan Kumar, Advocate
For the Respondent/s : Mr. Ranjit Sinha, Advocate.
For the State : Mr. Prabhakar Jha, GP-27

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-10-2016

Heard the parties.

In the present writ petition, petitioner is seeking relief for appointment on compassionate ground on the premises that his father was an employee of the Bihar Electricity Board and thereafter he became an employee of the South Bihar Power Distribution Company who died in harness on 3.2.2011. Claim has been made that he has a right to claim to be appointed on compassionate ground.

Learned counsel for the South Bihar Power Distribution Company has filed counter affidavit where specific plea has been

taken that petitioner is a son from third wife whereas son of first wife of the deceased employee has applied for compassionate appointment. He has further submitted that first right should go to the son of first wife, not to the son of third wife.

From the records it appears that claim has been made by the petitioner that he is son of second wife. Either he may be son of second wife or third wife, situation will not change as first preference will go to the son of the first wife and he has also filed any application. Petitioner has filed application without showing other person of family has given in his favour no objection for his appointment.

In such view of the matter, no relief can be granted to the petitioner. Accordingly this writ petition is dismissed.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
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