

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 7899 of 2014

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Ravi Ranjan Roy son of late Ramdeb Prasad Yadav resident of Chhotti Kelabari
P.S. Kotwali, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Compassionate Committee, Munger through the Chairman District Munger.
3. The District Magistrate, Munger cum Chairman, District Compassionate Committee, Munger District Munger.
4. The Deputy Development Officer-cum-Secretary, District Compassionate Committee, Munger District Munger.
5. The Civil Surgeon, Munger.
6. The District Programme Officer (Establishment), Munger, District Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Respondent/s : Mr. S.A. Alam

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 10-05-2016

Heard learned counsel for the parties.

This Court is not willing to show compassion against compassion. Article 14 and 16 cannot be the touch-stone for grant of any kind of indulgence to the petitioner for an up-gradation from class-iv to class-iii post, merely because he is an Intermediate pass. There are lacs and lacs of persons, who have higher and better qualification, but were not fortunate enough to have a father or a mother, who was a government servant and died before superannuation.

The petitioner has been given an opening as far back as

on 21.09.2012. If the position by compassionate appointment is not acceptable to the petitioner, he is free to test his capability and his merit by joining the right place by participating in any other recruitment process, which he wants. No order for consideration for appointment of the petitioner on class-iii post is required to be passed taking into consideration that he is compassionate appointee anyway and working in that capacity for almost four years now.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
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