

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9015 of 2014

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1. Rita Kumari, Daughter of Late Ram Babu, Resident of Village-Kashichak, P.S. Nayagaon, District- Saran. At present Constable No. 115186816 R.T./G.D.(Female), Group Centre C.R.P.F., Mokama Ghat, District- Patna

.... Petitioner/s

Versus

1. The Union of India, through the Secretary, Ministry of Home, New Delhi
2. The Director General, Central Reserve Police Force, New Delhi
3. The Inspector General of Police, Central Reserve Police Force, Bihar Sector, Patna
4. The Inspector General of Police, Central Reserve Police Force, Rajasthan Sector, Ajmer
5. The Commandant, Group Centre, C.R.P.F. Mokama Ghat, Patna
6. The Deputy Inspector General of Police, Group Centre, C.R.P.F. Mokama Ghat, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kr. Jha, advocate
Mr. Bam Bahadur Jha
For the Respondent/s : Mr. Anjani Kr Sharan, (A.S.G.)
Mr. Rajesh Kr. Verma CGC

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 03-11-2017

Heard both sides.

The petitioner has filed this writ petition for setting aside the order dated 08.02.2014, which was communicated to the petitioner vide order dated 09.03.2014, by the Commandant whereby the appeal of the petitioner was dismissed.

In nutshell, the petitioner was appointed on compassionate ground after death of her father, Ram Babu but during the course of training, she sustained injuries and the petitioner could not complete the training. The respondents were directed to search out the possibility as to whether another dependant of Ram Babu can be appointed on compassionate ground in the peculiar facts of the case as the petitioner was appointed on compassionate ground, on account of death of her



father, but she could not compete the training.

The respondents filed second supplementary counter affidavit stating in paragraph 5 that there is no provision for appointment of another dependant of Ram Babu, as one of the dependant, the petitioner, was earlier appointed on compassionate ground. It is further stated that in view of Rule 2 (b) of DoP &T's OM dated 16.01.2013 dependant of Rita Kumar can be appointed on compassionate ground if Rita Kumari undertakes that she will support her mother, wife of Ram Babu, during her life time.

The learned counsel for the petitioner submits that Rita Kumari shall swear affidavit that she will support her mother and her unmarried sisters if her dependant gets job on compassionate ground.

The learned counsel for the petitioner, in view of statement made by the respondents in paragraph 5 of the supplementary counter affidavit, seeks permission to withdraw this writ petition so that dependant of petitioner may apply before the competent authority for compassionate appointment and the competent authority shall consider the case of dependant of petitioner for appointment on compassionate ground.

Accordingly, this writ petition stands disposed of with a direction to the respondents to consider the case of dependent of Rita Kumari for appointment on compassionate ground within a period of six months from the date of receipt of this order.

(Prabhat Kumar Jha, J)

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