

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.82 of 2016

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Nemani Paswan, Son of Late Surya Narayan Paswan, Resident of Village-
Ajampur, P.O.- Mangachak, P.S.- Sanhaura, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna
2. The District Magistrate, Bhagalpur
3. The Senior Superintendent of Police, Bhagalpur.
4. The Sub Divisional Officer, Kahalgaon, District- Bhagalpur
5. The Treasury Officer, Bhagalpur.
6. The Anchal Adhikari, Sanhaura Anchal, District- Bhagalpur
7. Nirmala Devi @ Sulaina Devi, said widow of Late Surya Narayan Paswan, Resident of Village- Ajampur, P.O.- Mangachak, P.S.- Sanhaura, District- Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha, Adv.

For the Respondent/s : Mr. Anirudh Kumar Singh, AC to GP-25

For the private respondent: Mr. Pratap Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 25-07-2017

Heard Mr. Dharendra Nath Jha, learned counsel for the petitioner, learned counsel for the State and Mr. Pratap Sharma, learned counsel for the private respondent.

The petitioner claiming to be the son of the deceased Government employee, Late Surya Narayan Paswan, who died in harness while serving on the post of Chowkidar, has filed this writ petition seeking a direction to the respondents to appoint him on compassionate ground.

This matter was last heard on 13.7.2017 and when Mr.



Sharma, learned counsel for the private respondent, tried to submit that the private respondent, who is the widow of the deceased Government employee, had approached this Court for the similar relief in C.W.J.C.No. 3948/2013 and it is following the order of this Court that she has already been appointed. It is on such submission being made that Mr. Jha prayed for time to seek instruction and has returned by admitting the fact so pleaded by Mr. Sharma.

Though Mr. Jha attempts to question the status of the private respondent as widow of the deceased employee, but, in my opinion, the forum for such contest would be different than in a writ jurisdiction and since the respondent State having accepted the private respondent as the widow of the deceased employee to provide her with a compassionate appointment, the present writ petition does not survive and is accordingly dismissed.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

