

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1249 of 2014

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Kumari Arpana @ Arpana daughter of Late Bajrang Bihari Mishra
resident of Mishra Tola, P.S. - Town, District - Darbhanga.

.... Appellant

Versus

1. The State of Bihar through the Principal Secretary, Animal Husbandary & Fisheries Resources Department, Old Secretariat, Patna.
2. The Principal Secretary, Animal Husbandary & Fisheries Resources Department, Govt. of Bihar, Patna.
3. The Director, Department of Fisheries, Govt. of Bihar, Patna.
4. The Joint Director, Fisheries (Hqrs)., Govt. of Bihar, Patna.
5. The Department of Personnel and Administrative Reforms, Govt. of Bihar through its Principal Secretary, Patna.
6. The Principal Secretary Department of Personnel and Administrative Reforms, Govt. of Bihar.
7. The Joint Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna.

.... Respondents

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Appearance :

For the Appellant/s : Mr. K.D. Chatterjee, Sr. Advocate
Mr. Chandan Jha, Advocate
For the Respondent/s : Mr. Snilam Krishna, AC to SC-9

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 21-04-2017

The old saying goes that hard cases make bad law, is squarely applicable in the present set of fact. The facts are glaring. Death of the father of the appellant happened on 11.08.1989, and she is trying for compassionate appointment after 28 years of the



tragedy. The learned Single Judge was left with no option but to dismiss the writ application on the ground of laches and delay. In addition to that the Court would also like to add that there has to be some proximity between the death and the object behind compassionate appointment in terms of time frame. The very object of compassionate appointment has been lost in the present case.

Thus, we find no merit in this appeal, it is, accordingly, dismissed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

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