

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1062 of 2014
IN
Civil Writ Jurisdiction Case No. 1392 of 2013**

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1. Sri Gaurav Matthey, aged about 26 years S/o Sri Chandeshwar Nath Matthey
Resident of Mohalla Kaji Tola, P.S. Arrah (Nagar), District Bhojpur at Arrah

.... Appellant/s

Versus

1. The State of Bihar.
2. The District Compassionate Appointment Committee through its Chairman.
3. The District Magistrate, Arrah.
4. The District Programme Officer (Establishment), Arrah.
5. The Deputy Collector (Establishment), Arrah.

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr Rajendra Prasad Singh, Sr. Advocate Mr. Mukesh Kumar Singh
For the Respondent/s	:	Mr. Madhav Prasad Yadav, GP 23 Mr Sanjay Kumar, AC to GP 23

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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: 08-04-2017

Compassionate appointment is not a mode of providing employment for unemployed or unemployable children of a government servant.

In the present case, the claim for compassionate appointment has been rejected and that order of rejection has been upheld by the learned Single Judge after discussing the facts that the mother of the present appellant was a Block Education Officer, who died and the appellant sought compassionate appointment due to loss



of the bread earner. But the learned Single Judge has taken note of the fact that the father of the appellant was a Manager in Madhya Bihar Gramin Bank and was in employment as well, therefore, it was not a case of any obligation falling upon the present appellant, who had to take care of the family in distress.

The decision of the learned Single Judge, therefore, does not suffer from any infirmity because over all financial status and liability has also to be taken into consideration. The facts being what they are the effort on the part of the appellant is to basically find employment. He seems to be unemployed otherwise. That is not the object of compassionate appointment.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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