

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6117 of 2014

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1. Shashi Kumar Son of Late Raj Narayan Prasad Resident Of Village-
Nayagaon, Police Station- Kesariya, District- East Champaran (Motihari)
..... Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Personnel and Administrative Reforms
Department, Govt. Of Bihar, Patna
3. The Principal Secretary, Minor Irrigation Department, Government of
Bihar, Patna
4. The Engineer-In-Chief, Minor Irrigation Department, Government of
Bihar, Patna
5. The Superintending Engineer, Tube-Well Anchal, West Champaran at
Bettiah
6. The District Level Compassionate Appointment Committee through Its
Chairman, The District Magistrate, East Champaran At Motihari
7. The District Magistrate, East Champaran At Motihari
8. The Deputy Collector (Establishment), East Champaran at Motihari
9. The Executive Engineer, Tube-Well Division, Bettiah, District- West
Champaran
..... Respondents

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Appearance :

For the Petitioner : Mr. Umesh Kumar Mishra, Adv.
For the Respondents : Mr. Raj Kishore Roy, GP XVIII

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 10-10-2017 Heard both sides.

The petitioner, in this writ petition, seeks for quashing the order, dated 09.12.2013, as contained in Memo No. 912, issued by the District Magistrate East Champaran at Motihari, who rejected the petition of the petitioner for appointment on compassionate ground. The father of the petitioner was working as Peon, Tube-well Division. Public Health and Engineering Department, West Champaran at Bettiah. The father of the petitioner died on 12.03.1987. The petitioner petitioned for appointment on compassionate ground on 19.01.1988, but, the authority kept the petition of the petitioner pending for consideration and vide order, dated 09.12.2013, the Appointment



Committee, headed by the Collector, East Champaran at Motihari, rejected the petition of the petitioner for appointment on compassionate ground on the ground that the petition of the petitioner for appointment on compassionate ground is barred by law of limitation. The petitioner filed the petition for appointment on 19.01.1988, but, on that date the petitioner was minor and, therefore, his petition was not considered. The petitioner filed another petition only after limitation of two years.

The learned counsel for the petitioner submits that the Appointment Committee, headed by the Collector, East Champaran at Motihari, has illegally rejected the petition of the petitioner for appointment on compassionate ground, but, I find no force in the submission of the learned counsel for the petitioner on the simple ground that the petitioner moved this Court after more than thirty years from the date of the death of his father for appointment on compassionate ground. The object of compassionate appointment is to provide immediate relief to the dependants of the bread-earner, who died in harness, but, the petitioner did not move the Court for long period of thirty years while the petition of the petitioner for appointment on compassionate ground was kept pending.

Therefore, I do not find any merit in this writ petition. Accordingly, the same is **dismissed**.

(Prabhat Kumar Jha, J)

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