

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1811 of 2015
IN
Civil Writ Jurisdiction Case No. 16146 of 2008**

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Punam Singh, wife of Late Janardan Singh, resident of Village & P.O. Karanauti,
P.S. Bakhtiyarpur, District - Patna.

.... Appellant

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The D.G.-cum-I.G. of Police, Bihar, Patna.
3. The Additional D.I.G. of Police, C.I.D., Bihar, Patna.
4. The D.I.G. of Police, C.I.D., Bihar, Patna.

.... Respondents

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Appearance:

For the Appellant/s : Mr. Y.V. Giri, Sr. Advocate and
Mr. Ashish Giri, Advocate.
For the Respondent/s : Mr. Md. Raisul Haque, SC 10 and
Mr. Binay Kumar, AC to SC 10.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 01-09-2017

There are two things which are evident from perusal of order dated 28.07.2015, which has been appealed against; firstly that the appellant is the second wife of late Janardan Singh, who was a Sub Inspector of Police who died in harness on 20.01.2002, since the death happened in the year 2002, the object of providing compassionate appointment has been lost in the last 15 years; and secondly, that admittedly since the appellant was the second wife and the second marriage was held during the life time of the first wife, the law does not give any status or recognition to the said marriage.



2. Learned counsel for the appellant tried to persuade the Court that the second wife was the sister of the first wife and, therefore, Rule 2(3) of the Bihar Government Servants Conduct Rules brings her within the ambit of consideration by virtue of being a dependant.

3. Rule 2(3) of the aforesaid Rules has no applicability for the two stumbling blocks – firstly, that that the death happened in the year 2002 and, secondly, that the appellant has no legal status as a wife under the law, therefore, the Court will not interfere whatever be the reasons provided by the learned Single Judge.

4. Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
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