

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18098 of 2013

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Ranjeet Kumar, S/O Late Mahendra Prasad, Resident of Village - Mirganj, Nagar
Nigam Quater, Ara, P.S. Nawada, District - Bhojpur

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Urban Development Department, Govt. of Bihar, Patna
3. The District Magistrate, Bhojpur, Ara
4. The District Development Commissioner, Bhojpur, Ara
5. The Ara Municipal Corporation, Through its Chairman
6. The Chairman, Ara Municipal Corporation, Ara, District - Bhojpur
7. The Nagar Ayukat, Ara Municipal Corporation Ara, District - Bhojpur

.... Respondents

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Appearance:

For the Petitioner	:	Mr. Bindyanchal Singh, Adv. Mr. Manoj Kumar Singh, Adv.
For the State	:	Mr. Sunil Kumar Mandal, S.C.-3 Mr. Bipin Kumar, A.C. to S.C.-3
For the Municipal Corporation:		Mr. Bishwa Bibhuti Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 28-11-2017

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Municipal
Corporation.

2. In this case, the petitioner is claiming compassionate appointment on the ground that his father has become traceless in 2010 and still he is traceless. Presumption in law, if the person



remains traceless for seven years, in such a situation, he will be treated to have been died.

3. The father of the petitioner was an employee of the Ara Municipal Corporation and after he became traceless a complaint was lodged on 28.06.2010 and where-after the petitioner has filed an application for compassionate appointment, but he has been deprived of the compassionate appointment though his father remained traceless for more than seven years.

4. Learned counsel for the petitioner submits that the condition of the family is in very bad shape and the basic idea of the compassionate appointment is to mitigate the financial hardship. He further submits that the family is in penury, they are facing great adversity to carry out day- to-day life, so the petitioner is entitled for compassionate appointment.

5. Let the respondent-Ara Municipal Corporation consider the case of the petitioner for compassionate appointment within a period of six months from the date of receipt/production of a copy of this order as the father of the petitioner has become traceless since 28.06.2010, now seven years have crossed, naturally it will be treated that the father of the petitioner has died.



6. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	29.11.2017
Transmission Date	N/A.

