

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9707 of 2012

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Manoj Kumar Son Of Late Hridya Prasad Resident Of Village - Jainagar
Mansahi, Police Station - Mansahi, District - Katihar

.... Petitioner

Versus

1. Managing Director, Central Ware Housing Corporation 4/1 Sri
Institutional Area, Ware Housing Bhawan, August Kranti Marg, (House
Khas), New Delhi- 110016

2. The General Manager, Central Ware Housing Corporation Ltd. Maurya
Lok Complex, Patna

3. Manager, Central Ware Housing Corporation Ltd., Marketing Yard,
Teengachhiya Katihar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey, Advocate.

For the Respondent/s : Mr. Sharad Kumar Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-09-2017 The petitioner, in the present writ application has sought for the compassionate appointment. The father of the petitioner was an employee in the Central Ware Housing Corporation Ltd. working on the post of Sweeper. He died on 02.07.2010. The petitioner claims himself to be the son of second wife and on the basis of same, he seeks direction of this court for compassionate appointment, after the death of his father as back as in the year 2010.

In the service book of deceased Late Hridaya Prasad, there is nothing to show that the mother of the petitioner was the second wife of the deceased. On the earlier occasion also, the petitioner's mother had preferred a writ application along with this



petitioner seeking a similar relief. The Hon'ble Court had disposed of the said application with a direction to consider the case of the petitioner.

The respondent Corporation since 1999 has not considered any case for compassionate appointment and they have introduced Special Voluntary Retirement Scheme (SVRS) in order to reduce the manpower strength and establishment cost. Compassionate appointment is not a right rather it is a policy of the state to bring family of the deceased employee out of the financial hardship. Seven years have already been passed, after the death of the said deceased employee and the family has still survived. On record, there is nothing to show that the mother of the petitioner is a legally wedded wife of the deceased employee. The retiral benefit of the deceased employee was given to his first wife Nirmala Devi. From the record also, it is evident that Nirmala Devi is legally wedded wife of the deceased employee.

Considering the aforesaid facts and circumstances, I find no merit in the present writ application.

The present writ application stands dismissed.

(Sudhir Singh, J)

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