

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.585 of 2016

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Ranjeet Sah Son of EXGS126965APNR Late Nageshwar Sah, Resident of village-
Dhrampur, P.O.- Chhapra-Bahas, District-Motihari Petitioner

Versus

1. The Union of India through the Secretary, Department of Difence Govt. of India,
New Delhi

2. The Commandant, GREF Centre, Dighi Camp, Pune

3. The Commandant, 75, R.C.C. (GREF) C/o 56, A.P.O. through its Colonel
Jaswant Singh son of Shri S. Kulwant Singh, Officer Commanding, District-
Chamoli (Utrakhand) Respondents

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Appearance :

For the Petitioner/s : Ms. Prem Sheela Pandey, Adv.

For the Respondent/s : Mr. A.K.Pandey, SCGC

Mr. Ravinder Kumar Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 01-08-2017

Heard Ms. Prem Sheela Pandey, learned counsel appearing

for the petitioner and the learned counsel for the State.

The petitioner is aggrieved by the order dated 30.9.2015
passed by the Commandant, GREF Centre, Dighi Camp, Pune, a copy
of which is impugned at Annexure 3 to the writ petition, whereby his
claim for compassionate appointment has been rejected.

The reasons for rejection stands discussed in paragraphs 17
and 19 of the counter affidavit filed in the proceedings and which
shows that the mother of this petitioner had married the deceased
Government servant even when the first wife was alive. Obviously a
dispute cropped up and was settled under the orders of Lok Adalat. It
is in terms of the settlement that the case of son of the second wife i.e.
mother of the present petitioner was considered for compassionate
appointment vide order passed on 8.6.2004 as evident from paragraph



8 of the counter affidavit. In paragraph 17 of the counter affidavit it is mentioned that since the case of the brother of this petitioner did not come within the merit list, hence it was rejected and communicated vide letter dated 30.6.2007. This order of rejection of compassionate appointment to the brother of this petitioner was never questioned either by his brother or his mother. It is nine years thereafter that the mother of this petitioner filed a second application for compassionate appointment of the present petitioner, who is the second son and which has been rejected by the order impugned.

A claim for compassionate appointment is not a perpetual claim to be raised at regular interval, rather it is a beneficial scheme to help a family in distress to tide over the situation. An attempt was made in this regard by the brother of this petitioner but negated by the respondents as back as in 2007 on whatsoever ground but it was never questioned before this Court. Nine years later the mother of this petitioner has chosen to press the candidature of the second son i.e. the present petitioner and which has been rejected and rightly so. No cause for indulgence is made out in the circumstances discussed.

The writ petition is dismissed.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
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