

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.798 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 787 of 2013**

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Pappu Kumar Son of Anandi Singh Resident of Village - Gangti P.S. - Khudaganj,
District - Nalanda.

.... Appellant/s

Versus

1. The State of Bihar
2. The District Magistrate - cum - Chairman, District Compassionate Appointment Committee, Nalanda District - Nalanda.
3. The Superintendent of Police, Nalanda.
4. The Sub - Divisional Officer, Hilsa, District - Nalanda.
5. The Officer - In - Charge Khudaganj, District - Nalanda.
6. The Circle Officer Khudaganj, District - Nalanda.
7. Kauslendra Kumar @ Kaushal Prasad @ Kaushal Kumar Yadav, s/o- Sardanand Yadav, resident of Village Modikhurd P.S. Khudaganj, Dist. Nalanda
8. Siyaram Prasad Yadav @ Siyaram Gope, son of Ram Chalitra Yadav, resident of Village- Arjunsarthudih, P.S. Khudaganj, District- Nananda

.... Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 07-07-2017

Delay of 92 days in filing of this appeal is condoned.

I.A. No. 3242 of 2016 stands allowed and disposed of.

In the matter of grant of appointment on compassionate grounds on the post of Chowkidar or Dafadar to a Awazi Chowkidar who was working since 2009, the learned Writ Court has passed an order holding that based on the rules of 2006 the matter has to be



considered and benefit granted and as the appellant did not fulfil the parameters prescribed in the year 2006, the claim was rejected. Appellant was seeking benefit based on the appointment in the year 2004 and was working prior to coming into force of the 2006 Rules.

Learned Writ Court has held that once the statutory rules have been framed, the rights have to be decided in accordance to the rule and nothing can be done contrary to the rules.

In doing so, the learned Writ Court has not committed any error warranting reconsideration.

The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	10.07.2017
Transmission Date	

