

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1030 of 2012
IN
Civil Writ Jurisdiction Case No. 10607 of 2011**

- =====
1. The State of Bihar
 2. The Director, Industry, Bihar, Patna
 3. The Joint Director, Industry, Bihar, Patna
 4. The General Manager, District Industry Centre, Gaya

.... Appellants

Versus

1. Saket Kumar S/O Late Naresh Prasad R/O Villge- Pandooi, P.S.-Parasbigha, District- Jehanabad
2. Pushpa Devi W/O Late Naresh Prasad R/O Village- Pandooi, P.S.-Parasbigha, District- Jehanabad

.... Respondents

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Appearance :

For the Appellant/s : Mr. Arun Kumar Sinha, AC to G.P.-24
For the Respondent/s : Mr. Shiv Kumar Prabhakar, Advocate
Mr. Uma Shankar Sharma, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 21-11-2017

Having heard learned counsel for the parties, we find no error in the order passed by the learned Writ Court directing for grant of compassionate appointment to a widowed lady. The ground of delay canvassed by the State Government is totally misconceived and cannot be accepted. Immediately after death of the employee in the year 1997, the wife claimed compassionate appointment. It was rejected on two grounds in the year 1997 itself. Initially the wife was refused appointment on the ground that she does not fulfil the



qualification. When the son came seeking appointment, it was rejected on the ground that he has come after five years. Even though at the instance of the mother, the matter was pending when ultimately the claim of the son was also rejected when the writ petition was filed. The learned Writ Court examined each and every aspect of the matter, found that the initial rejection of the mother’s claim was unsustainable and directed for appointment of the mother by a detailed order based on earlier judgments of this Court in the case of **Laxmi Bhatt vs. The State of Bihar and others, 2001(4) PLJR 512.**

Taking note of the reasons which weighed with the learned Writ Court for granting relief to the widowed lady, we see no reason to make any indulgence in the matter.

The appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

N.H./-

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