

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6561 of 2017

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Vivekanand Kumar, Son of Late Kishun Prasad, resident of Village + P.O.- Pawai,
P.S. Amarpur, District- Banka.

.... Petitioner

Versus

1. The Union of India through Ministry of Postal Department, Govt. of India, New Delhi.
2. The Chief Postmaster General, Bihar, Patna.
3. The Superintendent of Post Offices, Bhagalpur Division, Bhagalpur.
4. The Assistant Director (Recruitment), Bihar Circle, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Navjot Yeshu, Advocate
For the Respondent/s : Mr. S.D. Sanjay (Addl. Soc. Gen.)
Mr. Satyavrat Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 16-05-2017

For no other reason, the Court would not like to interfere with the order of the Central Administrative Tribunal, Patna Bench, Patna dated 28th February, 2017, but the factual position that the death of the employee happened on 08.12.2004, the earlier plea for compassionate appointment was considered and rejected with regard to one of the brothers who was an applicant and now yet another sibling has tried to beget compassionate appointment under the respondents, which has also been rejected. Such appointment is not permissible after 13 years of the death of the bread earner.



There has to be some close proximity between the death and the object for which compassionate appointment as a concept has been evolved.

The object for compassionate appointment is not to provide employment to otherwise unemployed or unemployable children but to provide immediate relief to the family.

No interference is warranted with the order of the Tribunal. Writ is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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