

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1482 of 2018

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1. The Union Of India through the D.G. Cum Secretary, Department of Posts, Dak Bhawan, New Delhi.
 2. The Chief Post Master General, Bihar Circle, Patna.
 3. The Assistant Director (Staff & Recruitment) O/o the Chief Postmaster General , Bihar Circle, Patna-800001.
 4. The Superintendent of Post Offices, Bhagalpur Division, Bhagalpur.

.... Petitioner/s

Versus

Manorama Devi, Wife of Late Naresh Prasad Sah, Resident of Village-Bhawanipur, P.O. & P.S.-Jagdishpur, District-Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sharan, A.S.G.
For the Respondent/s : Mr. J.K. Karn, Advocate

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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: 30-01-2018

Heard learned Assistant Solicitor General for the Union of India and Mr. J.K. Karn for the private respondent.

The order dated 28.08.2017 passed in O.A. No. 722 of 2016 by the Central Administrative Tribunal, Patna Bench, Patna is required to be set aside for the reason that a subsequent circular or guidelines issued by the Postal Department on issue of compassionate appointment, especially dated 30.05.2017, cannot be used for re-examination of an earlier decision already taken with regard to the claim of compassionate appointment of the private respondent. Any



decision, which has to be taken and which has been taken, will relate back to the contemporaneous period and the circular in existence has to be guiding light.

In view of the above, the order dated 28.08.2017 passed by the Tribunal for reconsideration is set aside.

Writ is allowed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

Arjun/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.02.2018
Transmission Date	N.A.

