

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7716 of 2017

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Sunil Kumar son of Late Shivnath Rajak resident of Mohalla - Golakpur,
P.S. - Pirbaore, Dist - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Department of Health, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Government of Bihar, Patna.
4. The District Magistrate cum Chairman of District Compassionate Committee, Dist - Patna.
5. The Civil Surgeon-cum-Chief Medical Officer, Patna.
6. The Superintendent of P.M.C.H. Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar
For the Respondent/s : Mr. Ravi Kumar, AC to G.P. 13
Mr. Amresh, AC to G.P. 13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-04-2018 The petitioner has challenged the rejection of his claim for compassionate appointment. The reason assigned for rejection of the claim of the petitioner for compassionate appointment by the authorities in their decision dated 13.3.2001 is that the concerned government employee died on 20.4.2001 and even after lapse of eight years, the applicant i.e. the petitioner herein could not submit the relevant document, which was demanded from him for the purposes of determining as to whether the petitioner herein fulfilled the requisite criteria for being appointed on compassionate ground or not. In fact, even the



succession certificate granted in favour of the petitioner, by the learned court of Additional District Judge-X, by a judgment dated 28.4.2016, is much subsequent to the consideration of the case of the petitioner, hence there was no occasion for positive consideration of the case of the petitioner, in absence of the petitioner not fulfilling the requisite criteria, prescribed for appointment on compassionate ground. Thus the case of the petitioner has been rightly rejected by the District Level Compassionate Committee, by a decision dated 27.2.2008 as has been stated in the counter affidavit.

In view of the aforesaid facts and circumstances of the case, as also the fact that admittedly the petitioner has not been able to produce the relevant documents, necessary for positive consideration of the case of the petitioner, the case of the petitioner has been rightly rejected by the respondents.

In such view of the matter, I do not find any infirmity in the decision of the District Level Compassionate Committee.

The writ petition is dismissed.

(Mohit Kumar Shah, J)

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