

# IN THE HIGH COURT OF JUDICATURE AT PATNA

## Civil Writ Jurisdiction Case No.8677 of 2015

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Shambhu Kumar Rai S/o Narsingh Bhagwan Rai Resident of Village Gundi, P.S.  
Krishna Garh, Distret Bhojpur ..... Petitioner

Versus

1. The Bihar State Power Holding Company Ltd. through its Chairman-cum-Managing Director, Vidyut Bhawan, Patna-1.
  2. The South Bihar Power Distribution Company Ltd., through its Managing Director, Vidyut Bhawan, Patna.
  3. The General Manager, South Bihar Power Distribution Company Ltd., Patna.
  4. The Electrical Superintending Engineer, Bhojpur Electric Circle, Ara.
  5. The Electrical Executive Engineer, Electric Supply Division, Ara.
  6. The Assistant Electrical Engineer, Electric Supply Sub Division, Ara (Rural), District Bhojpur ..... Respondents
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### Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate  
For the SBPDCL : Mr. Vinay Kirti Singh, Sr. Advocate,  
Mr. Akhileshwar Singh, Advocate  
Mr. Vijay Kumar Verma, Advocate

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**

ORAL JUDGMENT

**Date: 16-01-2018**

Heard learned counsel for the petitioner and the State.

The writ petition has been filed by the petitioner claiming himself to be the son of Shail Kumari Devi (mother), who died in harness on 24.06.2011 while working as Peon (Orderly) within Ara (Rural) Electric Sub Division.

It is the case of the petitioner that by Annexure 4 he has submitted his application for compassionate appointment which was received in the office of the Assistant Electrical Engineer, Electric Supply Sub Division, Ara (Rural), respondent no.6 on 05.09.2011. The same was submitted along with affidavit and Matriculation certificate and other required certificates. The said application having been submitted within five months of the death



of the deceased employee, his claim for being appointed on compassionate ground has not been considered. The writ petition has been filed in 2015, whereafter on the prayer of the counsel for the respondents the matter was adjourned to enable him to file counter affidavit with respect to the claim of the petitioner. Till date the same has not been done.

Consideration of the petitioner’s claim for compassionate appointment has to be done by the respondent authorities in accordance with the existing policy and law under which the claim has been made. In view of the aforesaid position, no useful purpose would be served to keep the writ petition pending. The respondent authorities would be obliged to consider the petitioner’s application for compassionate appointment submitted on 05.09.2011 in accordance with the existing policy and law within a period of eight weeks from the date of receipt/production of a copy of this order.

With the aforesaid directions the writ petition stands disposed of.

**(Madhuresh Prasad, J)**

Shashi.

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| AFR/NAFR          |            |
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