

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16598 of 2017

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Sanjeet Kumar Son of late Krishna Ram Resident of Village +P.O. - Kharari,
P.S. Nokha, District- Rohtas.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, D.G. Department of Posts, New Delhi, Pin- 110001
2. The Chief Post Master General, Bihar Circle, Patna -800001
3. The Post Master General, Southern Region, Patna.
4. The Director Postal Services, Southern Region, Patna.
5. The Superintendent of Post Office, Rohtas Division, Sasaram.
6. The Inspector of Post Offices, Rohtas at Sasaram, Pin Code- 821115

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajive Ranjan Singh, Advocate
For the Respondent/s	:	Mr. S.D Sanjay (ADDL. SOC. GEN.)
		Dr. Punam Kumari Singh, 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 : 04-01-2018

Heard counsel for the petitioner and the learned Additional Solicitor General assisted by Dr. Punam Kumari Singh representing the Union of India.

The order dated 28.04.2017 passed by the Central Administrative Tribunal, Patna Bench, Patna in O.A. No. 171 of 2017 is under challenge in the present writ application. The O.A. application has been dismissed and prayer for compassionate appointment rejected by the Tribunal primarily on two grounds -



(1) That the prayer for compassionate appointment was considered and rejected by the competent authority as far back as on 14.03.2012. Death happened in the year 2010. The petitioner chose not to challenge the said order for almost five years because the O.A. application was filed only in the year 2017. In other words, the decision taken by the authorities was accepted by the family or at least the petitioner and he had reconciled to the decision. What prevented or what provoked him to arise from slumber in the year 2017 is not a matter of investigation.

(2) The second ground given by the Tribunal is that the case of the petitioner was considered by the department. The minimum cut off point which was required to be earned was 63 and the point earned by the present petitioner was only 44. The effort has been made by the counsel representing the petitioner to nit-pick on the point awarded to him by the concerned authority.

This Court is reluctant to do so because even otherwise seven years have gone past since the death of the bread earner and the object of the compassionate appointment is to provide immediate relief to the family and not as a mode of finding employment to otherwise unemployed or unemployable family members of the deceased.



There is no infirmity in the order of the Tribunal, which requires interference. Writ is dismissed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

Arjun/-

AFR/NAFR	NAFR
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