

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5805 of 2016

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Arun Kumar Son of Late Ram Narayan Ram Resident of Village - Kauria,
Post Office - Haradia, Police Station - Bihia, District - Bhojpur.

.... Petitioner

Versus

1. The Union of India, through the Director General, Border Security Force, C.G.O. Complex, Lodhi Road, New Delhi - 03.
2. The Inspector General, Border Security Force (Personal & Administration), C.G.O. Complex, Lodhi Road, New Delhi - 03.
3. The Commandant, Office of the Directorate, 10 - C.G.O. Complex, Lodhi Road, New Delhi - 03.
4. The Commandant, Samaric Head Quarter, 82 - Bn. B.S.F., Khagra Camp, Kishanganj.
5. The Commandant, Batalion, Head Quarter, 82 - Bn. B.S.F.
6. The Deputy Commandant/Recruitment Officer, Training Centre and School, Border Security Force, Meru, Hazaribagh, Jharkhand.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey, Adv.

For the Respondent/s : Mr. Awadhesh Kumar Pandey, SCGC

Mr. R.K.Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 22-03-2018 Heard Mr. Arun Kumar Pandey, learned counsel for the petitioner and Mr. Awadhesh Kumar Pandey, learned Senior Panel Counsel for the Govt. of India appearing with Mr. R.K.Sharma, learned Central Govt. Counsel.

The petitioner is aggrieved by the decision of the respondents in not providing him with compassionate appointment.

A counter affidavit is on record and Mr. Pandey, learned Senior Panel Counsel for the Govt. of India, in reference thereto submits that after having failed to clear the physical efficiency test that the petitioner was also made to undergo a training, yet he did



not succeed in the physical efficiency test even for the third time which is an essential requirement for appointment even on compassionate ground. The statement of Mr. Pandey stands confirmed from the details present at paragraphs 5 and 6 of the counter affidavit which goes uncontested.

In this view of the matter, no question for indulgence arises because despite ample opportunity the petitioner seeking compassionate appointment in uniform services has failed to clear the physical efficiency test.

The writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

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