

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17528 of 2014

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Gautam Kumar Singh son of Late Phuleshwar Prasad singh, Resident of Village and Post Office- Giridhar Patti, Police Station- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar, through Director, Primary Education, Government of Bihar, Patna, P.S. and Distt. Patna
2. Principal Secretary, Human Resources Development Department, State of Bihar, Patna. P.S. and Distt. Patna
3. The District Magistrate, Supaul, District- Supaul, P.S. and Distt. Patna
4. The District Education Officer, Supaul, P.S. and District- Supaul
5. The District Programme Officer, Establishment, Supaul, P.S. and District- Supaul
6. The Block Education Officer, Police Station + Block- Chhatapur, District- Supaul
7. The Headmaster, Middle School, Kathi, Block and Police Station- Chhatapur, District- Supaul

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Durgesh Kumar, Advocate
For the State	:	Mr. Kumar Pankaj, AC to SC 5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 20-08-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

2. The petitioner had approached the authorities for consideration of his case for compassionate appointment much after expiry of the time limit of five years. Compassionate appointment is not a reservation. It is adopted by way of social security measure so that the family of the bread earner, died in harness, may be granted financial assistance to tide over the crisis occasioned on account of the death of the bread earner. The claim



of compassionate appointment is entertained if the application is filed within a period of five years from the date of death of the employee in harness and it cannot be entertained beyond five years as that will amount to reservation, which was not the intention of the policy framers.

3. Considering the fact that the benefit of compassionate appointment is covered by a scheme and only those who satisfy the conditions of the scheme can be considered for compassionate appointment, the Court does not find any merit in the writ petition.

4. The writ petition is, accordingly, dismissed.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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