

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5229 of 2016

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Shiv Dayal Paswan S/o Late Bhattu Paswan resident of village - Kamalpur,
P.O. + P.S. Neemchak Bathani, District - Gaya

.... Petitioner

Versus

1. The State of Bihar through through the Chief Secretary Govt. of Bihar
2. Principal Secretary Home, Govt. of Bihar, Patna
3. District Magistrate, Gaya
4. Superintendent of Police, Gaya
5. S.H.O. Neem Chak Bathani, District - Gaya
6. Circle officer Neem Chak, Bathani, District - Gaya

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Respondent/s : Mr. Gp13- Nasim Yahya

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 22-03-2018 Learned counsel for the parties are present.

The petitioner prays for appointment on the post of
Chaukidar in place of his father by way of compassionate
appointment.

A counter affidavit has been filed after service on the
learned counsel for the petitioner on 3.10.2016 and in which at
paragraph 8 it is stated that the father of the petitioner was
dismissed from service in the year 1988 and died in the year 1989.
The said fact confirms two issues, namely, (i) that the petitioner is
not entitled to compassionate appointment considering that his
father was dismissed from service and (ii) an issue raised after
almost 26 years of expiry of the father cannot be granted



indulgence.

The writ petition is dismissed.

(Jyoti Saran, J)

Surendra/-

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