

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 14056 of 2015

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Kunal Ji Kishore Son of Late Chandra Mohan Rai Resident of village - Punama
Pratapnagar, Post Office - Punama, Police Station Naugachhia, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Secretary Transport Vishweshuraiya Bhawan, Government of Bihar, Patna
3. Chairman cum Managing Director Bihar State, Transport Corporation, Sultan
Palace, Transport Bhawan, Patna
4. The Administrator, Bihar State Road Transport Corporation, Bihar, Patna
5. The Nodal Officer Bihar State Transport Corporation, Patna
6. The Divisional Manager, Purnia Bus Depot, Purnia Division, Purnia

.... Respondent/s

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For the Petitioner/s	:	Mr Choudhary Shyam Nandan, Advocate
For the S t a t e	:	Mr H S Goldie, AC to GP VI
For Respondent No 5	:	Dr Anand Kr, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 16-04-2018

Heard the learned counsel for the petitioner and the
respondent-Bihar State Road Transport Corporation (for brevity, *the
Corporation*).

2 While working as a Time Keeper in the service of
respondent-Corporation, father of the petitioner died in harness on
12.03.2008. Petitioner had submitted his application for appointment
on compassionate ground after the death of his father in the year 2008



itself.

3 It appears that in the year 2013, the petitioner had approached the Janta Darbar of Hon'ble the Chief Minister. Thereafter, his application was forwarded to the Corporation.

4 By order dated 21.11.2013, his claim has been rejected by assigning the reasons that since 1984, no compassionate appointment has been granted in the Corporation keeping in view the weak financial position of the Corporation.

5 After rejection of the petitioner's claim of 2008 under order dated 21.11.2013, the petitioner has filed the writ petition in the year, 2015. The claim of the petitioner for compassionate appointment appears to suffer from inordinate delay.

6 Apart from that, the reason assigned by the Corporation is that no dependant of deceased employee of the Corporation has been appointed on compassionate ground since 1984. In view of the poor financial condition, the Corporation has expressed its inability to offer compassionate appointment. Stand appears to be that decision is uniformly applied to all applicants. The petitioner cannot be given any special treatment and his case cannot be considered as a single case since the Corporation has taken a decision not to appoint persons on compassionate ground since 1984 itself.

7 For the reasons indicated hereinabove, this Court does not find the petitioner's case in respect of his claim for compassionate appointment to be enforceable by issuing any direction.



8 The writ petition is, therefore, dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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