

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.35 of 2018

In
Civil Writ Jurisdiction Case No.1435 of 2017

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Pankaj Kumar, Son of Late Shambhu Shankar Prasad @ Shambhu Prasad,
resident of Village- Maranpur, P.S.- Civil Lines, District- Gaya.

... .. Petitioner/Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department,
Government of Bihar, Patna.
2. The Commissioner, Gaya.
3. The Collector cum Chairman Compassionate Committee, Gaya.
4. The Additional District Registrar, Gaya.
5. The Circle Officer, Gaya.

... .. Respondent/s

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Appearance :

For the Appellant	:	Mr. Sudhir Kumar Sinha, Advocate.
		Mr. Raj Kishore Shrivastava, Advocate.
For the State	:	Mr. Fakhruddin Ali Ahmad, A.C. to A.A.G.-12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-11-2018

Re.: Interlocutory Application No. 8287 of 2018

Heard Mr. Raj Kishore Shrivastava, learned counsel for
the appellant and Mr. Fakhruddin Ali Ahmad, learned A.C. to
A.A.G.-12 for the State.

The limitation petition is supported by an affidavit,
which reflects sufficient cause for condonation of delay. The delay
condonation application is allowed. The delay is condoned and the
appeal shall be treated to be within time.

Re.: L.P.A.No. 35 of 2018

The appellant claimed compassionate appointment after



the death of his father, who had died in harness on 14th May, 2004. The application filed by the appellant for compassionate appointment was considered by the Compassionate Appointment Committee and was rejected on 21st December, 2005. This was allowed to prevail for a period of almost 12 years whereafter the writ petition was preferred, that has given rise to the present appeal.

In the above background and the fact that the appellant has taken almost 12 years to approach this Court, we find no error in the conclusion drawn by the learned single Judge in declining to entertain the writ petition at this belated stage.

In the wake of the aforesaid circumstances, it will not be possible for us to interfere with the impugned judgment without prejudice to the rights of the appellant to seek such claim that may be available to him in law before the appropriate forum.

Consigned to the records.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/sujit

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

