

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.959 of 2017
IN
Civil Writ Jurisdiction Case No. 2931 of 2015**

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Kundan Kumar, S/o Late Ganesh Ram, R/o Mohalla Yarpur, Chaprasi Quarter,
Road NO. 10, P.S. Gardanibagh, Patna.

.... Appellant/s

Versus

1. The State of Bihar through the Member Board of Revenue, Bihar, Patna.
2. The Secretary, Board of Revenue, Bihar, Patna.
3. The Deputy Secretary, Board of Revenue, Bihar, Patna.
4. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
5. The Secretary, General Administration Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Kumar Singh

For the Respondent/s : Mr. MD. KHURSHID ALAM- AAG12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 04-07-2018

By the impugned judgment dated 11.05.2015 passed in Civil Writ Jurisdiction Case No.2931 of 2015, the learned Writ Court has refused to direct the respondent authorities to provide appointment on compassionate ground to the petitioner.

The learned Writ Court found that father of the petitioner died in the year 2005 and at the relevant time the mother of the petitioner was a government employee who retired from service in the year 2012.

In the facts and circumstances pleaded before the



learned Writ Court, in our considered opinion, absolutely correct view has been taken by the learned Writ Court. It is no longer a res-integra that the appointment on compassionate ground cannot be claimed as a matter of right. Such appointments are not governed by descent and have been allowed to continue only with an intention to provide immediate succor to the family of the deceased government employee who is likely to fell in a state of vagaries or destitution. Even otherwise view taken by the learned Writ Court is fully covered by the Full Bench judgment of this Court in the case of **Niraj Kumar Mallick Vs. The State of Bihar and Ors.** reported in **2018(2) PLJR 951.**

The Letters Patent Appeal has no merit. It is, accordingly, dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	NAFR
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