

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.228 of 2018

In
Civil Writ Jurisdiction Case No.16302 of 2015

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Babita Devi @ Babita Kumari, wife of Late Ram Balak Prasad, resident of
Village- Kulna, P.O.- Kusumhar, P.S.- Akbarpur, District- Nawada.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The District Magistrate, Nawada.
3. The Superintendent of Police, Nawada.
4. The Circle Officer, Akbarpur, District- Nawada.
5. The Station House Officer, Akbarpur, District- Nawada.
6. Pahlad Kumar, son of Late Nanhku Mahto, resident of Village- Kulna, P.O.-
Kusumhar, P.S.- Akbarpur, District- Nawada.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Amish Kumar, Advocate
For the State : Mr. P.K. Verma, AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-08-2018

Feeling aggrieved and dissatisfied with the impugned order passed by the learned Single Judge dated 24.01.2018 in CWJC No.16302 of 2015 by which learned Single Judge dismissed the said petition preferred by the appellant-petitioner and has refused to grant any relief of compassionate appointment to the appellant-petitioner on the death of her husband, the original petitioner has preferred the present letters patent appeal.

Having heard learned counsel for the respective parties and considering the report of the Compassionate Appointment Committee, it appears that in fact the husband of the appellant was



never appointed as a Chaukidar and, therefore, he was not a government employee at all. In that case, there was no question of any compassionate appointment to the appellant on the death of the deceased husband of the appellant. Learned counsel appearing for the appellant is not in a position to point out anything and/or place on record any material on which it can be said that the husband of the appellant was in fact appointed and working as Chaukidar/government employee.

In that view of the matter, it cannot be said that the learned Single Judge has committed any error which caused interference by this Court in exercise of the appellate jurisdiction. We are in complete agreement with the view taken by the learned Single Judge. Hence, the appeal is dismissed.

(Mukesh R. Shah, CJ)

(Dr. Ravi Ranjan, J)

V.K.Pandey/-
Vikash/-

AFR/NAFR	N.A.F.R.
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