

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.631 of 2019

=====

Jitendra Kumar son of Late Mahendra Thakur, Resident of Mohalla-
Pataleshwar Mandir Road Katra, P.S. Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Vaishali at Hajipur.
3. The District Establishment Committee Vaishali at Hajipur.
4. The Chief Medical Officer cum Civil Surgeon Vaishali at Hajipur.
5. The Medical In- Charge Bidupur Vaishali at Hajipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.Anuj Kumar- AC to SC 12

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-09-2019 In the writ petition, prayer has been made by the

petitioner for a direction to appoint him on compassionate
ground on account of death of his father in harness on
26.03.2010 in a class IV post at Primary Health Center, Bidupur.

Counsel for the State submits that from the averment
made in the counter affidavit in para 9 as well as order of the
Civil Surgeon-cum-Chief Medical Officer, Vaishali dated
15.02.2018, it is apparent that younger brother of the petitioner
namely, Dharmendra Kumar has been given appointment on
compassionate ground on account of demise of father of the
petitioner and Dharmendra Kumar.

It is submitted that two persons cannot claim



appointment on compassionate ground. Once one is granted appointment on compassionate ground, claim of assailing or challenging appointment on compassionate ground by another person would not be maintainable.

Without going into the said submission and since none appears on behalf of the petitioner, writ petition is dismissed for want of prosecution.

(Madhuresh Prasad, J)

s.hassan/-

U			
---	--	--	--

