

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2015 of 2019

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1. Mostt. Urmila Devi, Widow of Constable/09 Sumendra Singh Vill.-Sakri, P.o.-Sakri Chowk, Distt.-Arwal
 2. Jitendra Kumar, son of Late Constable Sumendra Singh, Both Residents of Village-Saaaaakri, P.O.-Skri Chowk, P.S./Distt.-Arwal

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Home (Police) Department, Bihar, Patna.
2. The Director General of Police, Bihar, Patna
3. The Addl. Director General of Police, Special Branch, Bihar, Patna.
4. The Superintendent of Police, Special Branch, Bihar, Patna.
5. The District Magistrate, Arwal.
6. The Anchal Adhikari, Arwal, P.S./Distt.- Arwal.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sidhendra Narayan Singh Advocate
For the Respondent/s	:	Mr. Md. N.H.Khan SC-1

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 06-02-2019

Heard the learned counsel for the petitioner and the State.

The claim of the petitioner no. 2 for being appointed on compassionate ground in place of his father, who, while in service, died in the year 2015, has been rejected primarily on the ground that one of the sons of the deceased employee is posted as General Duty Constable in CRPF and hence according



to the rules, no compassionate appointment could be given to petitioner no. 2.

It appears that petitioner no. 1, who is the mother of petitioner no. 2, had made an application before the Superintendent of Police, Arwal, making a request for appointing the petitioner no. 2 on compassionate ground on any Class-III / Class-IV post, so as to provide the family with some sustenance which was suddenly disrupted with the death of her husband.

It further appears that the concerned authorities were made known that one of the sons of the deceased employee who was in government service, had severed all his connections with his family and has gone completely incommunicado.

Despite this, by order dated 02.04.2018 contained in Memo No. 1559, issued under the signature of the Superintendent of Police, Special Branch, Patna, the claim of the petitioner no. 2 has been rejected on the afore-stated ground.



Learned counsel for the petitioner has submitted that the matter was agitated again by the petitioners. An enquiry was directed for finding out the correctness of the assertions made by the petitioner. The enquiry report has been annexed with this writ petition as Annexure- 10. The assertions of the petitioners, namely, the applicant (petitioner no. 2 and her mother / petitioner no. 1) that one of the sons of the deceased who is in government service has snapped all connections with the family, has been found to be correct.

In that view of the matter, it has been submitted on behalf of the petitioners that the decision with respect to giving appointment to petitioner no. 2 on compassionate ground is required to be revisited by the concerned authorities. Though many representations to that effect have been filed but to no avail.

Under the aforesaid circumstances, this Court can only direct that in case of the petitioners making a fresh representation before the Superintendent of Police, Special Branch, Patna along with a copy of the enquiry report and enclosing a copy of the order passed in the present writ



petition, within a period of four weeks, the Superintendent of Police, Special Branch, Bihar, Patna (Respondent No. 4) shall respond to the aforesaid representation and shall dispose it off with a reasoned order within a period of six weeks thereafter.

With the aforesaid observation / direction, this writ petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	11.02.2019
Transmission Date	

