

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1688 of 2019

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Sanjeet Kumar, S/o Late Rajesh Kumar, Resident of Ward No. 6, Shahid Keshwar Path, Vill.-Arwal Sipah, P.S.-Arwal, Distt.-Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Welfare, Govt. of Bihar, Patna.
3. The Bihar State Schedule Caste Cooperative Development Ltd., Malyanil Bhawan, Buddha Colony, Patna 800001, through its Managing Director.
4. The Managing Director, Bihar State Schedule Caste Cooperative Development Corporation Ltd., Malyanil Bhawan, Buddha Colony, Patna 800001.
5. The Secretary, Bihar State Schedule Caste Cooperative Development Corporation Ltd., Malyanil Bhawan, Buddha Colony, Patna 800001.
6. The District Executive Officer, Bihar State Schedule Caste Cooperative Development Corporation Ltd., Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Sinha-2, Adv.
Mr. Vijay Kumar Verma, Adv.

For the Respondent Nos. 1 & 2 : Mr. Asit Kumar Jha, AC to GP2

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 31-01-2019

The father of the petitioner died while in service on 24.12.2017. Since the family was rendered



without any monetary support with the death of the bread-earner, the petitioner made an application before the Bihar State Scheduled Caste Cooperative Development Corporation Ltd. (*in short the Corporation*) for his appointment on compassionate ground. The claim of the petitioner was forwarded by respondent No. 6/the District Executive Officer of the Corporation to the respondent No. 5/the Secretary of the Corporation in the Head-Office at Patna. The aforesaid application of the petitioner was returned for further clarification and for completing certain information which was wanting. No communication was made to the petitioner. Thereafter, the claim/application of the petitioner has been kept on the backburner and no order has been passed.

2. The learned counsel for the petitioner submits that the petitioner at least deserves to know as to what has happened to his application.

3. It appears that the file concerning the compassionate appointment of the petitioner has been



lost midway. The petitioner, therefore, is directed to make a representation before the Secretary of the Corporation (respondent No. 5) within a period of three weeks from today enclosing a copy of the present order.

4. On receipt of such representation, the Secretary of the Corporation (respondent No. 5) shall look into the matter and take necessary steps for processing the claim of the petitioner. If the claim of the petitioner is found to be tenable in accordance with the rules of the Corporation in that regard, *i.e.*, for the purposes of providing compassionate appointment to employees dying in harness, necessary/sequel orders shall be passed without any delay. The Secretary of the Corporation (respondent No. 5) would take into account that it is only for the purposes of bailing out a family in distress from economic hardships that there is a provision of compassionate appointment. Any delay in disposing the cases for such compassionate appointment can only lead to dissatisfaction and may be, vagrancy and destitution in the family of the deceased employee.



5. With the aforesaid direction and observation, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	04.02.2019
Transmission Date	N/A

