

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4326 of 2019

1. Rita Devi, Wife of Late Shambhu Pandey, resident of Village- Darmjadpur, P.O.-Mahuar, P.S. Sahpur, District- Bhojpur at Ara, at Present Residing at Village-Dhanawan, P.S.-Bodh Gaya, P.O.-Bagdaha, District- Gaya.
2. Deepak Kumar Pandey, son of Late Shambhu Pandey, resident of Village- Darmjadpur, P.O.-Mahuar, P.S.-Sahpur, District- Bhojpur at Ara, at Present Residing at Village-Dhanawan, P.S.-Bodh Gaya, P.O.-Bagdaha, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Additional Director General of Police, Military Police, Bihar, Patna.
4. D.I.G. of Police, Military Police, Central Zone, Patna.
5. District Magistrate, Gaya.
6. Commandant, BMP-3, Bodh Gaya, Gaya.
7. A.I.G. of Police, Inspection, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad, Adv
For the Respondent/s : Mr. Sanjay Kumar, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 08-03-2019

The claim of the petitioner No. 2 for being appointed on compassionate ground was rejected by the District Compassionate Appointment Committee much earlier.

2. The petitioner No. 1 is the wife of the employee viz. a Cook in the Police department, who went missing in the year 2002. The petitioner No. 2 is the son of the



aforesaid employee.

3. It appears that for several years, no effort was made by the family members of the employee to trace him out or to make any attempts to inform the Police and seek his recovery or know as to what has happened to him. But, after waiting for seven years, an attempt was made by the petitioner No. 2 to seek appointment on compassionate ground for which necessary application was made and such application was recommended as well.

4. The District Compassionate Appointment Committee rejected the claim of the petitioner No. 2 on the sole ground that the rules in that regard were applicable to only such persons who would have been appointed on compassionate ground from 2008 onwards. That was the time when petitioner No. 2 was not eligible for being appointed.

5. Considering every aspect of the matter, the A.I.G, Welfare, Bihar, Patna has further recommended the concerned District Compassionate Appointment Committee to revisit the case of the petitioner No. 2 as the family of the



petitioners is in great distress.

6. Without expressing any opinion over the merits of the claim of the petitioner No. 2 for being appointed on compassionate ground, since the case of petitioner No. 2 has already been recommended by the A.I.G, Welfare, Bihar, Patna, it is only expected that the case of the petitioner No.2 would be put for consideration before the concerned District Compassionate Appointment Committee for a revisit over the issue.

7. With the aforesaid observation/direction, the writ petition is disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14/03/2019

