

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7286 of 2015

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Sanju Kumari D/o Late Kashi Nath Yadav, Driver constable, resident of village-Dagauli, Post-Nachap, P.S.-Murar, District- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Director General of Bihar Military police, Patna.
3. Commandant Bihar Military Police-16, Phoolwari sarif, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Respondent/s : Mr. Anirban Kundu- SC24

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 30-04-2019 Heard counsel for the petitioner and counsel for the respondents.

Petitioner's father died in harness on 28.11.2002 while serving as constable in Bihar Military Police. Petitioner made her application after prescribed period of five years. On account of application being filed with delay, same had been rejected.

Stand of the respondents is that admittedly, at the time of death of father of petitioner, petitioner was eight years old and for the first time, she filed an application on 11.8.2006 when she was 12 years old.

Petitioner's counsel disputes this submission and submits that correct date of birth of the petitioner is 06.03.1990 even if that is to be taken into consideration, then at the time of



death of her father, she was only 12 years old.

In the circumstance, belated application of the petitioner could not have been entertained as scheme provides that application has to be made within five years. Relief for compassionate appointment can not await till the attainment of adulthood. Purpose of compassionate appointment is to provide succour to family of deceased employee on account of sudden loss of bread earner. Belated application of the petitioner beyond the prescribed period of five years can not be entertained.

Writ application is devoid of merit and same is dismissed.

(Madhuresh Prasad, J)

s.hassan/-

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