

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 7241 of 2015

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Malti Devi, W/o Late Upendra Kumar, Resident of Village Kool, P.O., P.S.
and District Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through District Magistrate, Nalanda at Bihar Sharif
2. The District Panchayat Officer, Bihar Sharif, Nalanda
3. The Block Development Officer, Katrisarai, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Satya Ranjan Sinha,
		Ms Seema Kumari, Advocates
For the Respondent/s	:	Mr Anuj Kumar, AC to SC XII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 23-04-2019

Heard learned counsel for the petitioner and the respondent-State.

2 Writ petition has been filed claiming the relief of compassionate appointment on account of death of husband of the petitioner on 08.09.2011.

3 The records reveal that a departmental proceeding was conducted leading to an enquiry report of guilt dated 04.06.2011. Second show cause notice was replied and the petitioner's husband was dismissed from the service as Panchayat Secretary on 03.09.2011. The Appellate Authority has modified the order of dismissal to one of compulsory retirement. Husband



of the petitioner, subsequent upon his dismissal on 03.09.2011,
died on 08.09.2011.

4 It is not the case of the employee dying in harness.
The basic requirement for invoking the rule of harness for seeking
the appointment on compassionate ground is lacking.

5 Writ petition is devoid of merit and is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.04.2019
Transmission Date	NA

