

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11582 of 2014

1. Sanjeev Kumar Son of Late Satya Narayan Mahto.
2. Ranjan Kumar Son of Late Sheopujan Mahto. Both are resident of Village - Bahadurpur, P.O. and P.S - Phulwarisharif, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Building Construction Department, Bihar, Patna.
3. The Chief Engineer, Building Construction Department, Bihar, Patna.
4. The Executive Officer, Garden Division, Building Construction Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Mishra
For the Respondent/s : Mr. Rewti Kant Suman, AC to SC 11

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-01-2019 Heard learned Counsel for the petitioners and the
learned Counsel for the respondent State.

Father of the petitioners were engaged on daily wages on 1.10.1981 and 1.4.1981 respectively as Gardener. It is the case of the parties that from, 16.6.1986 they were placed in the work charge establishment and during status as work charge employee they passed away on 12.1.2002 and 11.2.2011 respectively. Petitioners' claim for compassionate appointment has been considered by the authorities and a decision dated 21.7.2014 has been taken based on Finance Department Resolution No. 10710 dated 17.10.2013. In terms of Clause 4 of the said resolution the petitioners are not entitled to the



benefit of compassionate appointment as dependents of the employee of work charge establishment are not entitled to compassionate appointment in government services.

Counsel for the petitioners seeks liberty to assail said order dated 21.07.2014 in a fresh proceeding.

The writ petition is dismissed with liberty to the petitioner to challenge the same in appropriate proceeding.

(Madhuresh Prasad, J)

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