

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12346 of 2014

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Raj Kumari Daughter of Yugeshwar Paswan Resident of Village- Murli
Basantpur, Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate- Cum- Chairman, Compassionate Appointment
Committee, Saharsa.
3. Sub Divisional Officer, Saharsa.
4. Superintendent of Police, Saharsa.
5. S.H.O. Bangaon, P.S. District- Saharsa
6. Anchal Adhikari, Saharsa, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Respondent/s : Mr.AC to SC 22

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 22-04-2019

Heard learned counsel for the petitioner and
respondents- State.

Petitioner has claimed compassionate appointment on
account of death in harness of her father while working as
chaukidar on 04.05.2002. Petitioner being one of two daughters
had made claim for appointment on compassionate ground. Other
than two daughters, deceased employee left behind a widow.



Petitioner's claim was considered and compassionate committee having regard to the fact that the petitioner was a married daughter, which is excluded in the list of beneficiary entitled to compassionate appointment under Personnel and Administrative Reforms Department vide circular dated 05.10.1991, rejected the claim of the petitioner for compassionate appointment.

Claim was rejected by the compassionate committee on 16.8.2007. Much after rejection of petitioner's claim, instant writ petition was filed in the year 2014.

Counsel for the petitioner in course of court proceeding placed reliance on General Administrative Reforms circular dated 10.12.2014 bearing no.13293. The circular dated 05.10.1991 which was relied upon to reject the claim of the petitioner was subsequently amended on 10.12.2014. Amendment had come in the year 2014. Claim of the petitioner was under old circular dated 05.10.1991. Same was rejected long back in the year 2007 itself prior to amendment under circular dated 10.12.2014. Rejection was on the basis of circular dated 05.10.1991 which was valid on that date. Petitioner could not have been granted any benefit under subsequent circular/amendment of the year 2014.



Writ petition is devoid of merit and the same is
dismissed.

(Madhuresh Prasad, J)

s.hassan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.4.2019
Transmission Date	NA

