

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21298 of 2014

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Amit Kumar Gupta Son of Late Prabhunath Sah resident of Village - Agauther
Sundar, P.O.- Agauther Nanda, District- Saran **Petitioner**

Versus

1. Chief General Manager, State Bank Of India
2. Branch Manager, State Bank Of India, Shamkauria Branch, P.O.- Shamkauria,
District - Saran.
3. Branch Manager, Marhaura Branch, State Bank of India , P.O. and District -
Saran. **Respondents**

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Appearance :

For the Petitioner	:	Mr.Ajay Kr Singh No.1, Advocate
For the SBI	:	Mr.Anjani Kumar Mishra, Advocate
		Mr. Sunil Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner as well as
learned counsel for the State Bank of India.

Petitioner is claiming a direction upon the respondent bank to appoint him on compassionate ground in place of his father who died in harness while serving on the post of clerk at Sham Kauriya Branch, District Saran on 17.12.2011.

Respondent-bank has filed counter affidavit. Its specific case is that scheme for appointment on compassionate ground was withdrawn with effect from 4.8.2005. Respondents have brought on record the scheme for payment of ex-gratia lump sum amount (Annexure A). It is submitted that the wife of deceased bank employee has already received all the retiral cum death benefits and is receiving family pension. She has received all the ex-gratia lump sum amount of Rs. 7 lacs.



In view of the abolition of scheme of compassionate appointment with effect from 4.8.2005 petitioner is not entitled for any benefit of compassionate appointment since death of his father occurred much thereafter in the year 2011. These averments made in the counter affidavit have not been denied or disputed by the petitioner by filing re-joinder.

In the circumstances, there is no scope for this Court to issue any direction in favour of the petitioner. Since scheme for compassionate appointment was withdrawn prior to demise of petitioner's father, writ petition is devoid of merit and is dismissed.

(Madhuresh Prasad, J)

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