

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17213 of 2013

Ashok Paswan S/O - Late Kedar Paswan R/V- Rupi, P.S. - Dinara, Distt. -
Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Superintendent Of Police, Rohtas
3. The Senior Deputy Collector, General Section Rohtas At Sasaram
4. The Sub-Divisional Officer, Rohtas At Sasaram
5. The District Compassionate Committee Through Its Chairman The District Magistrate, Rohtas
6. The District Magistrate, Rohtas
7. Anchal Adhikari Kochas Block, P.S. - Kochas, Distt - Rohtas
8. The Station House Officer, Dinara Police Station , Distt. - Rohtas

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Respondent/s : Mr.Rajendra Kr. Jha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-08-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Father of the petitioner died in harness on 15.02.1987 as
chaukidar. Admittedly, at that time, petitioner was a minor.

Admitted position is that he had filed an application for
compassionate appointment in the year 2011.

Petitioner's claim in the writ proceedings is that after due
enquiry, final recommendation has been made in favour of the
petitioner on the enquiry report of the Circle Officer in the year 2012.
On the basis of such recommendation, it is submitted that authorities
may be given a direction to appoint the petitioner on compassionate



ground and provide him appointment letter.

Petitioner had attained majority in the year 2004. However, he made his application for his compassionate appointment in the year 2011.

It is trite law that compassionate appointment is intended to grant socour to the family of the deceased employee in harness. The sudden crisis arising out of death in harness is compensated by the authorities by offering appointment on such ground.

Claim for such appointment cannot be raised in the year 2011 on account of death of father of the petitioner who died in the year 1987. The compassionate appointment cannot wait till attaining majority of a legal heir of the dependent of the deceased employee after so many years as has been claimed in the instant proceedings. Prayer in the writ petition is not tenable on account of long lapse of time. In the instant case, claim of compassionate appointment has been made 24 years after death of the deceased employee.

Writ petition does not raise any enforceable claim and the same is devoid of merits and it is accordingly, dismissed.

(Madhuresh Prasad, J)

s.hassan/-

U			
---	--	--	--

