

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1568 of 2016**

=====

Md. Shahnawaz Alam, Son of Late Md. Qurratul Ain, Resident of Village-  
Siswania, Police Station- Banjaria, District- East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Government of Bihar, Patna.
3. The Deputy Inspector General of Police, Saran Range, Bihar.
4. The Superintendent of Police, Saran at Chapra
5. Mobina Khatoon wife of late Md. Qurratul Ain residence of village Siswaniya  
P.O Siswania P.S. Banjaria Dist East Champaran.

... .. Respondent/s

=====

**Appearance :**

|                      |   |                                       |
|----------------------|---|---------------------------------------|
| For the Petitioner/s | : | Mr. Vindhyachal Singh, Advocate       |
| For the Respondent/s | : | Mr. Shankar Kumar Thakur, AC to GP 27 |

=====

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL JUDGMENT**

**Date : 10-01-2019**

Petitioner's claim in the writ petition is for a direction commanding the respondents to appoint the petitioner on compassionate ground on account of demise of his father Md. Qurratul Ain, who died in harness on 17.12.2014 while posted as driver in Saran District Police Welfare.

From the records it appears that one of the two wives other than the petitioner's mother is a rival claimant in respect of the benefit of compassionate appointment. Stand of the State is that none of the rival claimants have submitted any succession certificate from a Court of competent jurisdiction. The specific stand of the State in paragraph 16 is that petitioner should submit succession certificate but he has not done so.

In view of the stand of the State as disclosed in the



counter affidavit, counsel for the petitioner submits that the petitioner would be submitting his succession certificate from a Court of competent jurisdiction so as to facilitate consideration of his claim for benefit of compassionate appointment.

The respondent no. 5 who happens to be the other wife of the deceased employee was earlier noticed. She has appeared in the proceedings. It is pointed out by counsels appearing in the matter that one Md. Karandeep Kumar, advocate's name is appearing in the cause list and that he is representing the respondent no. 5. However, today when the matter is being considered none appears on behalf of the respondent no. 5.

In view of the submissions and the stand of the State in the counter affidavit, writ petition is disposed off. The petitioner would be at liberty to submit a succession certificate from a Court of competent jurisdiction to facilitate consideration of his claim for compassionate appointment in accordance with law.

**(Madhuresh Prasad, J)**

Prakash/-

|                   |  |
|-------------------|--|
| AFR/NAFR          |  |
| CAV DATE          |  |
| Uploading Date    |  |
| Transmission Date |  |

